Memorabilia

of the

Privy Councillor

Dr. Stieber.

Edited from his papers

by

Dr. Leopold Auerbach.

Berlin.

Published by Julius Engelmann.

1884.

Translation by

Ian McGillivray – Nov 2024

from

„Denkwürdigkeiten des Geheimen Regierungsrathes Dr Stieber.“

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Preface.

Dr. Stieber, who died on January 29, 1882, left behind a large number of official and private documents, some of them originals, some of them copies, which have provided a rich source of material for the treatment and presentation of the most important episodes of his active and remarkable life. These documents were made available to the author of the following descriptions by the surviving family of the deceased, with the express wish that, on the basis of this material, an unbiased and unprejudiced presentation of Stieber's memorabilia should be made, which would neither glorify nor belittle the deceased, but rather make the historical truth, the objective description of his life, its task. The editor believes that he has realized this wish, which corresponds to his own intentions, in the following descriptions. The interesting events dealt with therein, most of which were previously known only to a few, may well contribute to the historical knowledge and appreciation of the period of reaction in Prussia during the 1950s and the creation of the new German Empire during the years 1866-187].

While re-reading the material of Stieber's memorabilia originally published in a newspaper, the editor has brought to light a number of as yet unknown and interesting data.

Berlin in August 1883.

The author.

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I. **Stieber's Storm und Stress Period (1843-1850).**

1. Stieber's youth and first criminal police activities.

Wilhelm Johann Carl Eduard Stieber was born in Merseburg on May 3, 1818. His father was a subaltern civil servant with the government in Merseburg and, despite his low salary, lived in comfortable circumstances, as his wife came from a wealthy family and had brought a considerable allowance into the marriage to support the household. In the spring of 1820, Stieber's parents moved with their son to Berlin, where his father joined the clerical ministry as a clerk and later became an inspector of the chancellery and chancellery councillor. Stieber's father was a thoroughly respectable, but pedantic and very economical man who brought up his children (Stieber had two younger brothers) strictly. After Stieber had received his first education at the Dräger elementary school in Berlin, he completed his grammar school studies first at the Joachimsthalschen grammar school [*] and then at the grammar school of the Grey Monastery [**], from which he was discharged at the end of the summer semester of 1838 with the certificate of maturity to the university.

[*] The Joachimsthalschen grammar school was a princely school for gifted boys founded in Joachimsthal in 1607, which was located in Berlin between 1636 and 1912 and from 1912 in Templin .

[**] The Berlin College of the Grey Monastery was the oldest and most important high school in Berlin . It had existed since 1574 in buildings of the former Franciscan monastery in Berlin's old town. According to the Margraviate of Brandenburg's chronicler Andreas Angelus, the name comes from the grey habit of the members of the order.

Determined by his father to become a theologian, despite his son's firm objection, Stieber secretly enrolled at the law faculty of Berlin University against his father's wishes and studied law and camelaria [*] until 1841. However, it was not possible to conceal his father's disobedience for long, and when he learned the truth, he expelled his son from his home and withdrew all support for his studies. The young Stieber was now forced to earn the means to live and study by working for hours and clerking for lawyers.

[*] Cameralism was a German academic discipline derived from the word Kammer relating to the prince's treasury, it encompassed economics, technology and state administration.

Stieber later reconciled with his father and was then given the means to continue his studies. On April 1, 1841, he entered military service, but nine days later he was discharged as unfit for military service. On September 1 of the same year, Stieber passed the auscultator exam [*], and at Michaelmas of the same year he began his practical legal career at the criminal court in Berlin, and in July 1843 he passed the Probationary exam.

[*] The auscultator (Latin for listener) was the name for the unpaid first judicial training level for lawyers after university. In Prussia, the auscultator was the first step in the three-stage training in the judiciary after university. After an auscultator examination the candidate was admitted to office work in the judicial administration as an auscultator. At the end of the first training step, there was the trainee examination in order to be admitted as a judicial trainee. The auscultator was not paid.

During his work as an ausculator at the criminal court, he often came into contact with police detectives from the police headquarters, who often took him with them on their forays to investigate crimes and criminals. This adventurous criminal police work seemed far more interesting to him than the dry work at court, and after his appointment as a trainee magistrate he decided to join the Criminal Investigation Department of the Police Headquarters for several months. At his request, his employment at the IV (Criminal-) Department of the Police Headquarters was approved by the Police President von Puttkamer and after the President of the Court of Appeal granted him a longer leave of absence for his employment at the Police Headquarters, the trainee clerk Stieber entered the police criminal service on February 1, 1844 with the functions of a criminal commissioner. Stieber did not receive a salary for his police work, but four months after joining the police headquarters he was granted 50 Thaler extra remuneration.

His criminal police activities in 1844 were very fruitful; among other things, he succeeded in finding the perpetrators of a capital crime committed at the home of master bricklayer Sabbath in Lietzmannsgasse, after the criminal investigation department had spent eighteen months labouring in vain to investigate and bring the case before the criminal court. All persons involved in the crime were sentenced to life imprisonment. His police

superiors became aware of him and favoured him with difficult criminal investigation commissions.

Towards the end of 1844, Stieber asked Police President v. Puttkamer for his dismissal from the police service because he wanted to continue his legal career and because the leave granted to him by the Court of Appeal for his employment at the Police Headquarters, which could not be expected to be extended, expired on January 1, 1845. The requested dismissal was granted to Stieber in 1844, and a few days later he received an extraordinary remuneration of one hundred thalers from the Chief of Police in recognition of his services as a criminal investigator. He also received the special distinction of being appointed editor of the journal "Beiträge zur Erleichterung des Gelingens der praktischen Polizei" (Contributions to Facilitate the Success of Practical Police), published by the Police Headquarters, by the Ministry of the Interior on January 2, 1845, at the request of the Police President. At the same time, Police President von Puttkamer granted him access to all offices of the Police Headquarters and the use of all files of this authority for his literary activities.

In 1845, Stieber also collected material from the police files for the book he published the following year on "Prostitution in Berlin and its victims", which was published by Hoffmann in 1846. - At the beginning of 1845, Stieber resumed his work as a trainee lawyer at the criminal court.

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2. The conspiracy in the Hirschberg valley in 1845.

On February 24, 1845, Stieber received a letter from the Privy Senior Government Councillor Mathis at the Ministry of the Interior (Mathis was later a long-time member of the House of Representatives and in the years 1859 - 1861 first Vice President of the House of Representatives, then President of the Protestant High Church Council in Prussia), in which Stieber was requested to visit him the following day on official business. Stieber promptly complied with the high official's request and was informed by Mathis that the provincial authorities in Silesia had discovered a conspiracy among the inhabitants of the Hirschberg Valley, according to which a number of people had joined forces to overthrow the current system of government and possibly to assassinate the king. However, tangible facts that would

enable judicial intervention had not yet been established, and the Minister of the Interior, Count von Arnim, had therefore decided to send Stieber, who had previously been employed as a detective commissioner, to Silesia to conduct police investigations into the conspirators and their plans. Stieber immediately agreed to this important mission, and on the same day the Minister of the Interior issued an official order instructing him to travel to Silesia to carry out careful and cautious investigations into the aforementioned matter and to enlist the support of the provincial police authorities, whose cooperation would be essential.

The following day, Stieber had the police headquarters issue him a passport in the name of the landscape painter Wilhelm Schmidt, who was traveling to Hirschberg and the surrounding area to practice his art (in his earlier years, Stieber had occupied himself with landscape and portrait painting for his own pleasure) and left for Hirschberg that same day. There Stieber immediately contacted the informer, a labourer named Herrmann, who had reported the whole affair to the government. Herrmann informed Stieber that there was a workers' conspiracy throughout Silesia, which was intent on murdering the rich and the clergy and dividing up their property. The informer also introduced the commissioner to a man who had himself been invited by the master carpenter Wurm in Warmbrunn to take part in the conspiracy and had also received a written proclamation, which was made available to Stieber.

The proclamation described in the most vivid colours the bliss and pleasures of the rich in contrast to the suffering and misery of the poor, it sought to prove that this difference of classes was justified neither in the principles of law nor in those of religion, and presented the destruction of the rich as the only remedy. This help was to be provided by a secret conspiracy, to which like-minded men were to bind themselves with a solemn oath.

The style of the proclamation made it clear that it could not have been written by an uneducated man, and the denouncer and his informant named the factory owner Schlöffel in Hirschberg, a well-known and respected figure in the area (Schlöffel later played an important role in the revolutions of 1848 and 1849 and then lived in America as a political refugee), as the author of the proclamation. They also named the carpenter Wurm as the head and a number of workers as outstanding members of the dangerous association. After about eight days of research, Stieber, who posed as the landscape painter Schmidt, had established circumstances which confirmed the

denouncers' statements and, in particular with regard to Schlöffel, revealed that he was conspicuously in contact with workers.

Stieber reported the results of his investigations in a letter dated March 8, 1845, to the Deputy Chief Government Counsel Mathis at the Ministry of the Interior and concluded with the remark that, in his opinion, the persons suspected of participation should be arrested immediately, but that Schlöffel should not be arrested for the time being, as there was still too little evidence of his guilt. Mathis immediately replied to this letter in a letter dated March 10, stating that all persons designated as suspects, and Schlöffel in particular, were to be arrested immediately. With regard to Schlöffel, Mathis remarked in his letter:

"In a matter of this importance, it seems very questionable to leave any of the accused participants at large for longer than the others. Schlöffel's arrest can therefore not remain suspended until one of the others has made a confession, provided that your earlier factual statements have not undergone or suffered a substantial change; this could cause great harm; all those named will have to be arrested at the same time and must, like Schlöffel, be brought to Liegnitz immediately."

On this specific instruction, Stieber requisitioned the local authorities, with whose help he arrested the suspects; only Schlöffel could not be arrested, as he was currently in Wroclaw. Stieber therefore travelled to Wroclaw and asked the chief of police to arrest Schlöffel, presenting the arrest warrant. However, the chief of police refused and sent Stieber a number of law enforcement officers, with whose help Stieber himself brought about Schlöffel's arrest in Wroclaw. A few hours after his arrest, Schlöffel was transported to Berlin, where the Court of Appeal kept him in custody for four months before releasing him, as the investigation against Schlöffel had not brought anything serious to light.

Later, in the following years, when the liberal press accused the government of having acted in an irresponsibly frivolous manner against Schlöffel, the entire blame for this act was heaped on Stieber by apparently official scribes, without the government deeming it necessary to bring the correct facts to public knowledge. Nor was Stieber in a position to publish the documents relating to Schlöffel's arrest, as the strictest secrecy had been ordered. In this way, the slanderous allegation about Stieber was spread, which haunted him for many years, that he had sneaked into Schlöffel's

family's research in the Hirschberg valley under the name of Schmidt in order to get behind Schlöffel's allegedly highly treacherous plans. According to the undoubtedly correct official and private documents available to me, this statement is completely incorrect. Stieber never met the Schlöffel family, and Stieber himself saw the landowner Schlöffel for the first time when he arrested him.

After Schlöffel's arrest, Stieber returned to the Hirschberg valley and found Criminal Judge Leonhardt in Hirschberg, who had meanwhile been sent there by the Court of Appeal as an investigating judge and who dealt with the interrogation of the arrested suspects. Together with Leonhardt, Stieber now continued the investigations for the conviction of the suspects and submitted ongoing reports to the government president in Liegnitz, Mr. v. Witzleben, and to the privy councillor Mathis in Berlin, whose directives Stieber had to follow. Stieber's cooperation with Criminalrath Leonhardt paved the way for a friendly relationship between the two, which was to last for many years beyond the official relationship between the two officials.

Stieber's criminal activities in the Hirschberg valley under a false name and his arrests there and in Breslau soon attracted general attention and caused displeasure in many circles, especially in liberal circles. On April 5, 1845, a member of the Silesian provincial parliament, Mr. Milde (President of the Prussian National Assembly in 1848 and Prussian Minister of Trade), who was present as a representative of the Ministry of the Interior, brought up Stieber's mission and proposed that the secret police should not be tolerated in the country, but the motion was rejected by all four votes to one. - Towards the end of April, Stieber continued the investigations in Silesia together with the examining magistrate Leonhardt, after which the prisoners were transported to Berlin and the judicial investigation was also transferred to Berlin.

In May, Stieber went to Warmbrunn for several weeks' rest from his commissary, where the family of the Berlin court actress Komitsch, who were friends with him, were staying. There he and Marie, the 15-year-old daughter of Mrs. Komitsch, formed an intimate love affair, which led to Stieber's engagement to his future wife the following year.

Stieber's successes in his commissariat in Silesia were uniformly recognized by the authorities involved. Geheimrath Mathis wrote to Stieber on April 14, 1845: "In my opinion, the result of the research can be regarded

as a very considerable one, and you have achieved great merit with truly no small effort." In a certificate issued to Stieber by the Chamber Court Inquisitor at the instigation of the Criminal Senate of the Chamber Court, it is stated that Stieber showed great zeal, combined with prudence and skill, in his research in Silesia. The President of the Liegnitz Government, Mr. von Witzleben, expressed the same praise in an official order to Stieber.

Of those involved in the Hirschberg conspiracy, six people, including the carpenter Wurm, were then charged with high treason, of which Wurm was sentenced to death and the others to several years in prison. Wurm was later pardoned and sentenced to life imprisonment, and the general amnesty issued in 1848 restored freedom to all those convicted.

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3. Stieber as a court advocate, newspaper correspondent and public speaker.

At the beginning of July 1845, Stieber returned from the Hirschberg Valley to Berlin, where a few days after his arrival he was summoned by the Presidium of the Court of Appeal for questioning on his responsibility in a disciplinary investigation that had meanwhile been instituted against him. Stieber had accepted the order given to him by the Minister of the Interior to go to Silesia and take over the research concerning the highly treacherous connection in the Hirschberg Valley without the approval of the Presidium of the Court of Appeal, his superior official authority - Stieber was a clerk at the Court of Appeal at the time, and the leave granted to him for his temporary employment at the Berlin Police Presidium had already expired on January 1, 1845. In order to carry out this commission, he applied to the Court of Appeal for a three-week leave of absence under the untruthful pretext that a death in his family and an extremely important inheritance regulation connected with it forced him to travel to Pomerania immediately. Called to account for this untruthful pretence by the Presidium of the Court of Appeal, Stieber excused himself on the grounds that the Minister of the Interior had made it his duty to keep the most inalienable secret against everyone without any restriction when issuing the order for his mission to Silesia. However, the Court of Appeal did not consider this excuse to be valid, and the Presidium of the Court of Appeal issued him with a strict reprimand by decree dated July 14, 1845. July 1845, which was motivated by the following

sentences: "If you considered yourself obliged to keep the order you received secret from the Presidium of the Court of Appeal, you should have left it to the Minister of the Interior to arrange for you to accept the order and to obtain the leave necessary to carry it out, but you should not, as happened, have accepted the order without the permission of the Presidium and sought the necessary leave under false pretences. The fact that you are thereby grossly violating your duties as a clerk of the Court of Appeal could not have remained hidden from you if you had paid any attention."

After completing the commissariat in Hirschberger Valley, Stieber worked as a trainee lawyer at the Court of Appeal and Criminal Court in 1845 and 1846. Since October 1845, however, in addition to his official duties, the trainee lawyer Stieber, with the permission of his superior authority, began defending defendants in criminal cases, and on October 20, 1845, he first appeared as counsel for Wehlisch, an apprentice upholsterer accused of negligent arson. Stieber soon found recognition in this new activity and, especially after public and oral criminal proceedings were introduced on October 1, 1846, initially at the Court of Appeal and the Criminal Court in Berlin, and a conspicuous lack of public legal advocates became apparent at the beginning, he gained such a large sphere of activity within a short time that he formally made public advocacy in criminal cases his life's profession. Individual cases he defended were rewarded with 500 thalers, a fee that was unheard of at the time, and Stieber acquired a small fortune from this activity within a few years, most of which he used to buy a property in Treptow in 1850.

Although Stieber was well paid for his work as a defence lawyer for wealthy defendants, he also often undertook defence work on his own initiative on behalf of indigent defendants without claiming or accepting a fee for his efforts. The following case deserves to be highlighted from this charitable practice: In 1846, the mechanic's assistant Bjerregaard came to Berlin from Norway, and a few weeks after his arrival he fell into the company of bad subjects. They used Bjerregaard as a tool in a burglary without Bjerregaard suspecting what they were doing. While the thieves carried out the theft in a house, Bjerregaard, who was made to believe that it was a love adventure, stood guard outside the front door to signal the arrival of the occupants to his comrades. The thieves were disturbed in their business and fled in haste, while Bjerregaard, who was following slowly behind, was arrested. Bjerregaard was now charged with grand larceny and sentenced by the Berlin criminal court. The convicted man appealed and

asked Stieber, who was well known as a defence lawyer, to take over his defence before the Court of Appeal. The very first conversation with the Norwegian in custody convinced Stieber of the man's innocence, and he immediately agreed to take over the defence of the unfortunate man, who was completely abandoned in Berlin. First, Stieber contacted the Swedish envoy in Berlin, and with his help, official testimonies about Bjerregaard's past life were obtained from his home country, from which it emerged that Bjerregaard belonged to an impecunious but respected family, that he was completely blameless and enjoyed the best reputation among his acquaintances. It therefore seemed quite inconceivable that the good young man could have degenerated into a thief and burglar in the few weeks between his relocation from his home and his arrest. On the basis of these circumstances, Stieber had Bjerregaard acquitted. The Swedish envoy, who had attended the trial and heard Stieber's successful plea, wrote a warm letter of thanks to Stieber, enclosing a fee for the defence from his own coffers. Stieber, however, refused to accept the fee and asked the envoy to grant this sum as support to Bjerregaard, who had been released from several months in custody and was completely penniless. This magnanimous behaviour on Stieber's part prompted the envoy to publicly thank Stieber in the Vossische Zeitung * (early January 1847) for his diligent efforts in Bjerregaard's case and for his successful defence, and then to request the Swedish government to offer Stieber a fee from state funds. The Swedish government immediately complied with this request by authorizing the envoy to present Stieber with 10 Friedrichsd'ors as a token of the Swedish government's appreciation for his efforts.

* A well-known Berlin newspaper originally published by Christian Friedrich Voss.

There was not the slightest political tendency in his defences in the first two years, for there were almost no political trials or press trials in 1846 and 1847; rather, they mostly concerned property and commercial crimes. Only in 1848, when political offenses and crimes gained the upper hand over other crimes, did Stieber also devote himself to this category and very often appeared as a defence attorney for political defendants. During his five years of activity as a public defender in criminal cases, he distinguished himself in his court appearances by his moderate behaviour before the courts; although he gave 3,000 public defence speeches during this time, he was never punished, not even reprimanded, and he enjoyed the recognition of the Court of Appeal in particular.

Stieber's relationship with the Berlin police headquarters as editor of the aforementioned police magazine was of no small value for his profession as a defence lawyer for criminal defendants, as he had free access to all offices of the police headquarters and was allowed to use all files of this authority with the express permission of the president. He was therefore always in a position to inform himself at an early stage about the suspicious facts and other serious matters against his clients and to prepare his defence plan accordingly. However, this use of the police files, which exceeded his authority, did not go unnoticed for long, and in 1846 the police chief von Puttkamer withdrew his permission to use the police files and access to the offices of the police headquarters. As a result, Stieber also had to resign as editor of the police journal.

Stieber's appearance as an advocate, which was initially approved by the Presidium of the Court of Appeal and also provided him with the frequent assignment of official advocacy, gradually made his official position as a clerk of the Court of Appeal untenable, as this occupation expanded more and more and took up almost all of his time. In the course of 1846, he came to the conclusion that it would be best to give up his official functions completely and devote himself entirely to his new profession as an advocate. This intention matured into a firm decision when an unfortunate incident, an accusation against Stieber in November 1846 for maltreatment of a prisoner, threatened him with the initiation of a disciplinary investigation at the Court of Appeal, which could have ended with his dismissal from the civil service. The charges brought against Stieber related to the following incident:

Shortly before Christmas 1844, i.e. a few days before Stieber left the service of the criminal investigation department, Stieber arrested a dangerous thief named Weinhold together with the criminal investigator Bormann (later police councillor and head of the Berlin criminal investigation department, died in 1876), and both during the arrest and later in the city police station, Weinhold is said to have been severely mistreated by the two officers mentioned. As a result, criminal proceedings were instituted against Stieber and Bormann for exceeding their authority and serious physical abuse of a person, which dragged on for two years. The accused were acquitted on Dec. 29, 1846, as there was insufficient evidence to prove the guilt of the defendants who denied the crime. - In the criminal proceedings, however, circumstances had been identified and brought to light which made Stieber's conduct during his criminal police activities stand out in a way that was not appropriate to the position of a chamber court clerk, and disciplinary

proceedings were therefore initiated against him. In order to avoid the detrimental consequences of dismissal, Stieber decided to voluntarily resign from the judiciary, and at his request to the Minister of Justice Uhden, he was dismissed from the judiciary on February 19, 1847.

Stieber now devoted his entire activity to his profession as a defence attorney, occasionally writing articles for the "Vossische Zeitung" about public court hearings, which newspaper took great pains to maintain Stieber's active cooperation.

Until 1848, Stieber had had no opportunity to take a stand on general political issues or to express his political views. The rising waves of political excitement in 1848 drew him into the political movement quite quickly, and he came to the fore several times during the first stages of the March Revolution. In part, Stieber was also compelled by his profession as a defence lawyer to take a political stand, as he would have risked his popularity if he had remained apathetic towards the great political movement. As a result, Stieber publicly declared himself a supporter of democratic doctrines in the days before the March Revolution. In view of his past as a political police commissioner in the Hirschberg valley and his future position in the civil service, the accusation was later made several times against Stieber that he had only appeared to be a man of the people in 1848 and that he had secretly acted in the interests of the reaction. Stieber was certainly wronged by this accusation, for later, as head of the Berlin criminal investigation department, he had to justify himself to his immediate superior, Police President v. Hinckeldey, in a lengthy memorandum against the accusations levelled against him by the state government that he had paid homage to revolutionary tendencies in 1848 and had also tirelessly stood up for them in 1849 as a defender of accused revolutionaries.

"I do not deny it for a moment and will never deny it," Stieber remarked in this memorandum, "that I paid homage to democratic theories at the beginning in 1848. Educated at the universities of the country in classical, Roman and Greek literature, which is filled with a thoroughly republican spirit, full of bitterness against the pre-March government, which in the well-known Schlöffel affair had rewarded me with the most vile ingratitude, in the face of the wretchedness of this government, which at the moment of danger in March 1848, after taking the most perverse measures, cowardly fled and abandoned the king to the revolution, the democratic theories which at that time filled the whole people in Berlin, from the first minister to the beggar,

must also have found their way into my mind. Nevertheless, even then a natural attachment to and reverence for the person of His Majesty prompted me to always do what I could for him. When political crimes took the upper hand after 1848, I found no reason to give up my honourable and lucrative position as defender because of them. In all civilized nations where there are public and oral trials, from the times of Cicero to those of Lamartine and Brougham, the defence of political defendants has been regarded as an honourable office, and even today the most respected and honourable of our lawyers, if they otherwise understand it, undertake this task. Only born ignorance or malice can confuse the person of the criminal with that of the advocate."

Stieber did not pay homage to the democratic ideas prevailing at the time of the revolution for long, and even during the period in which he belonged to them fully, he did not attempt to attain a leading position in the movement, although, as a renowned orator, he was offered great opportunities to appear as a club speaker. He came to the forefront of the movement mainly on March 21, 1848 *, during the procession of King Frederick William IV through the city, where he walked on foot, together with two other people, in the immediate vicinity of the king, in order to protect the king's person from the raging crowd pressing in on the king. The late king's benevolence towards Stieber, which was often expressed to him in the following years and finally brought him into a position of no small trust in the king and the royal house, dates from this day. - The rumour later spread about Stieber that he had ridden in front of the king with a black and gold flag during the historic parade was incorrect, as Stieber later assured in the above-mentioned memorandum on his oath of office. Incidentally, the inaccuracy of this rumour is evident from the fact that Stieber was notoriously unfamiliar with riding.

* On March 21, 1848 the king rode through the streets of Berlin in a show of support for German unity. He wore an armband in the colours of the revolution, black, red, and gold.

After just a few months, Stieber's extreme democratic ideas gave way to a more prudent, liberal approach, which set itself the task of consolidating and preserving as far as possible what had been achieved in the first months after the revolution. This utilitarian principle was particularly advocated by Stieber in an election speech he gave as a candidate for the Landtag in the fourth major electoral district of Berlin.

After the dissolution of the constituent National Assembly on December 5, 1848, the King, of his own authority, imposed a constitution which followed the draft constitution of the dissolved National Assembly and the provisions of the Frankfurt Parliament quite closely, i.e. was very liberal (more liberal than the later constitutional charter of January 31, 1850), and whose revision was reserved for the two chambers. The two chambers were convened for January 26, 1849, and an electoral law for the chambers was published on December 6, 1848. The democratic leaders in Berlin issued the slogan not to vote for the two chambers that had been convened, because the constituent National Assembly had been dissolved without authorization before completing its task of drawing up a constitution and therefore the mandates of its members had not yet expired. In Berlin, therefore, new elections were not held in individual districts until the people in the rest of the country had voted not only for the second but also for the first chamber. Since the eventuality arose that Berlin alone would not be represented in the chambers, and the chambers, ignoring this, could become active, popular assemblies were convened in which the emerging candidates for the Landtag expressed their opinions on the issues of the day.

As already mentioned, Stieber gave such a candidate's speech in the fourth major electoral district, the shorthand notes of which were then printed and widely distributed. In this speech, Stieber also declared the dissolution of the National Assembly, the imposed constitution, the new electoral law and the call for new elections to be unjustified in principle. However, since these transgressions of the government had remained unchallenged by the people and the people had decided to hold new elections on the basis of these unauthorized government actions, Berlin should not ignore the actual circumstances, it had to vote. "The people have voted, they have voted not only for the second, but also for the first chamber, and I cannot help thinking that whoever votes has recognized the (imposed) constitution, and whoever is elected on the basis of it cannot attack it. This is my opinion as a jurist, and I cannot change it, it is the product of reason . . . You will now ask, what will you do as a deputy in the Chamber? For the time being, I would do everything in my power to ensure that not a word is said about the validity or non-validity of the Constitution. I would see to it that work was done at once, working day and night, so that the revision of the Constitution might be carried through as quickly as possible, so that we might arrive at a legal state. I would do everything possible to meet the Crown openly and honestly."

Stieber was not elected; his realist endeavours did not meet with popular approval, and he was isolated in the still very agitated current of the time. In the years that followed, Stieber did not appear politically again, and he concentrated his activities during the years 1848 and 1849 and at the beginning of 1850 on his profession as a defence lawyer, as which he appeared in numerous political trials for defendants in 1849. In the great tax refusal trial, Stieber had also pleaded for the 37 defendants, including Schulze-Delitzsch, Bucher, Dorn (the current Privy Judicial Counsel and lawyer at the Imperial Court). In memory of his good defence speech, all the tax resisters have provided a sheet with their names and presented it to their defender as a token of their appreciation. The memorable sheet is in the possession of the Stieber's family.

In addition to his legal activities, Stieber also continued to occupy himself with literary matters and maintained relations with the most widely read political papers in Berlin at the time, especially the Vossische Zeitung. He was also socially connected to several outstanding men of the time, among others to the well-known democrat Held, from whom a characteristic letter to Stieber has been found in the latter's estate. The letter reads verbatim:

"Dear doctor!

I wanted to bother you with my visit. Fortunately for you, you were out of town. But perhaps I can arrange my request in writing. I wanted to ask you to include a note for the newspapers of which you are the correspondent, especially for the Vossische Zeitung, that in place of the Lokomotive, which has been undermined by two bans and thus ruined, I will next be publishing a weekly journal, the "Socialist". Socialist magazine. Promotion of the material welfare of the people. Not yet available in Berlin and Prussia. Urgent need. Good idea and such nice phrases. Good evening and good morning.

Yours

Held."

From the years 1848-1850 it is worth mentioning that Stieber was awarded a doctorate in law by the Faculty of Law in Jena on January 16, 1848, and that he married Marie, the eighteen-year-old daughter of the court actress Komitsch, on April 1, 1848, with whom he had one of the most

blessed and harmonious marriages - Stieber had 21 children with his wife, 10 of whom survived their father - until his death.

Since the regulation of January 3, 1849, on the introduction of oral and public proceedings with a jury in investigative matters, came into force, the judicial authorities have shown an effort to encourage the appearance of people who were not lawyers and who were not otherwise in the judicial service as public defenders in criminal proceedings, and Stieber himself, as early as 1849, in which he defended predominantly political defendants, formed the unpleasant impression several times that in his profession he did not enjoy the consideration from the court authorities to which he had become accustomed during the earlier years of his work as a defence attorney. As a result, Stieber wanted to re-enter the judiciary, then take the assessor's examination and practise as a lawyer in Berlin. In January 1850, Stieber addressed a request to the Minister of Justice, Simons, for whom Stieber was later to have a fateful impact, to reinstate him as a trainee lawyer at the Court of Appeal. However, the Minister of Justice rejected this request.

Stieber was now facing a bleak future, his income from his professional activity was diminishing from day to day, and since there was already talk in the press and in legal circles of restricting the admission to defend criminal cases to lawyers by means of legislation - this was also done later by the law of May 3, 1852 - he had little prospect of maintaining his early profession permanently. In addition, he was strongly advised by his doctor to limit his activities as a defence lawyer, as the prolonged loud talking would have damaged his lungs.

II. Stieber as head of the Berlin security police (1850-1860).

1. The investigation of the International Communist League.

In October 1850, Stieber learned that a considerable expansion of the budget at the police headquarters in Berlin was imminent as of January 1, 1851 and that, in particular, several new assessor and council positions were to be filled. Among these was the position of conductor of the criminal investigation department. Stieber applied for this position to the Minister of

the Interior, Mr. v. Manteuffel. His outstanding successes as detective commissioner in 1844 and 1845 and the King's benevolence for Stieber since the March Revolution resulted in Stieber being appointed police assessor on November 16, 1850, with a salary of 600 thalers, and he was put in charge of the security police. In a letter to the Minister of the Interior, the then Chief of Police, von Hinckeldey, objected to the appointment of a man to the police service who had a fairly revolutionary past behind him and had not yet given any evidence of his sincere loyalty to the King; but these objections did not prevail, and Stieber, whose criminalistic abilities were much appreciated by both the King and the Minister of the Interior, was formally imposed on the Chief of Police as head of the criminal investigation department.

On May 1, 1851, Stieber went to London as Prussian Commissioner to the Industrial Exhibition after being appointed Police Councillor on that day.

During his eight-week stay in London, Stieber uncovered an international Communist conspiracy that had been active in secret for years and had cast its nets over almost all of Europe, but mainly over Germany, gaining numerous members in almost all the major places in Germany, France, Switzerland and England.

On May 10, 1851, the journeyman tailor Nothjung was arrested in Leipzig for lack of credentials. A number of documents were found on him, providing the first traces of the existence of an international communist league, whose central office was in London. It emerged from these documents that the headquarters of the League had been in London for years, that the League communities in numerous German cities, as well as in France and Switzerland, had been managed from there, and that a schism had occurred in the central leadership about a year earlier, with several members of the central leadership moving it to Cologne, while the members of the central leadership who remained in London tried to maintain it in London.

Stieber, who was in London at the time, was informed of these discoveries made by Nothjung and given the task of following up the London traces in question on the spot. Within a few days, Stieber succeeded in locating the headquarters of the Central Authority of the International League and, in particular, in establishing that its registry was deposited with one of the leaders of the League, the fugitive Diez from Wiesbaden. With the help of a member of a member of the Communist League recruited as an agent,

Stieber came into possession of a large part of this registry. In this way, the Prussian police obtained important information about the powerful spread of the League that had never been suspected before and at the same time came into possession of numerous important documents.

From these it emerged that the Communist League had already existed in the aforementioned European states since 1847, with its central leadership in London, and had contributed significantly to the preparation of the revolutionary movements of 1848. The League set itself the task of overthrowing the rule of the bourgeoisie and conquering political power through the proletariat. The proletariat should then (as a manifesto of the Central Authority of February 1848 put it) use its political rule to gradually wrest all capital from the bourgeoisie, centralize all instruments of production in the hands of the proletarian state and increase the need for productive forces as quickly as possible. Among the measures proposed to achieve this goal are the following: 1) expropriation of landed property and use of the common rent for state expenditure; 2) a strong progressive tax; 3) abolition of the right of inheritance; 4) centralization of credit in the hands of the state through a national bank with state capital and an exclusive monopoly; 5) centralization of all transport in the hands of the state; 6) increase of national factories, instruments of production, reclamation and improvement of the land according to a common plan; 7) equal compulsory labour for all, establishment of industrial armies. "When, in the course of development, class distinctions have disappeared by these measures, and all production is concentrated in the hands of associated individuals, public authority loses its political character. The old bourgeois society with its classes and class antagonisms is replaced by an association in which the free development of each is the condition for the free development of all."

The members of both the German and the foreign federal communities were predominantly German, and the central leadership also consisted entirely of German refugees, most of whom belonged to literary and working-class circles. In 1849 and 1850, the most prominent members of the Central Authority in London were: Dr. Karl Marx, the well-known socialist writer; his friend Friedrich Engels the son of a wealthy Rhenish factory owner; the former Prussian lieutenant Ernst Willich and the former student Karl Schapper.

Marx and Engels on the one hand and Willich-Schapper on the other represented two different directions. Marx and Engels wanted to introduce

more moderate principles, while Willich-Schapper advocated communism in its pure form. This opposition led to a split in the central leadership in December 1850, with Marx-Engels and their supporters leaving the London central leadership and transferring the central leadership of the League to Cologne, while Willich-Schapper and their followers maintained their position in London and occupied the London central office with their like-minded comrades. Both the London Central Office and the Cologne Central Office then endeavoured through emissaries to retain or attract the individual communities of the Confederation.

When the registry of the Central Authority was confiscated by Stieber in London, the Confederation was represented in the following cities: Cologne, Berlin, Brunswick, Hanover, Hamburg, Frankfurt am Main, Leipzig, Stuttgart, Brussels, Verviers, Liège, Paris, Lyon, Marseilles, Geneva, St. Gallen, Chaux de Fonds, Locle, Berne, Dijon, Lausanne, Strasbourg, Valenciennes, Metz, Basel, London, Algiers, New York and Philadelphia. In particular, the core of the Willich-Schapper party was to be found in France, where the conspiracy had reached a significant extent.

As a result, Stieber first went to Paris with the important documents he had obtained in London, in order to follow up the traces of the conspiracy and, for his part, to persuade the authorities there to intervene against the Communist connection. The then Prefect of Police in Paris, Carlier, readily agreed to this matter, recognizing the danger of the communist doctrines for any form of state constitution, and Stieber was thus given the help of the national authorities in Paris for his research, whereas in London he had been left to his own devices and, without any authoritative power, had only come into possession of the registry of the Communist League by cunning.

A few days after Stieber's arrival in Paris, he was visited one afternoon in his two-room private residence by a young stranger. Stieber was in the company of his wife, who had accompanied him on his travels to London and Paris, and some acquaintances in his apartment when he was informed of an unknown gentleman who wished to speak to him. Stieber let the stranger into the next room, where the visitor, who was about 28 years old and in good society dress, introduced himself as the lithographer Cherval. He was a member of the Communist League in Paris and had learned that Stieber, having gained possession of the registry of the League's central authority through spies in London, had now come to Paris to investigate the spread of the League in Paris and possibly to persuade the French government to take

action against the members of the League. When Stieber replied in a cold tone that he had no reason to enter into any discussion with him about the purpose of his stay in Paris, Cherval rose from his chair in a state of agitation and threatened Stieber's life if he did not leave Paris as soon as possible and completely abandon his investigations into the communist endeavours. Stieber resolutely rejected Cherval's tone and asked him to leave. Instead of complying with this request, however, Cherval pulled a dagger from his breast pocket and used it to stab Stieber, who, calling loudly for help, tried to protect himself from Cherval's attack with a chair. Mrs. Stieber and Stieber's friends, who were present at the time, rushed over at the call for help and tried to subdue the frenzied man, who had already wounded Stieber's arm with a dagger thrust. Cherval, however, lunged at Mrs. Stieber and bit with his teeth into her breast, which was only covered by a light summer dress. Cherval was finally subdued and taken into custody. Mrs. Stieber's bite wound and the injury to her husband's arm caused by the dagger thrust were not dangerous and healed within a few days.

The following day, the arrested Cherval, who came from Germany and German parents and had only adopted the French name Cherval in France, was interrogated by Stieber in the presence of a senior French police officer, during which Cherval betrayed a number of people, including Tietz, a journeyman tailor who was later convicted of treason by the Prussian State Court, as zealous members of the Communist League. Cherval was induced to make these admissions by the fact that Stieber promised him that he would ensure that the assassination attempt committed by Cherval against him (Stieber) would not be prosecuted. Stieber also kept this promise.

Cherval's arrest and confession resulted in the arrest of all persons involved in the conspiracy and the confiscation of their papers.

These papers revealed that there was a leading circle of the Communist League for France in Paris. Initially, three communities in Paris were subordinate to it. One was led by the communist writer Scherzer, the second by the master tailor Reininger and the third by the fanatical lithographer Cherval, whose personality has already been mentioned above. Each of the three communities held weekly meetings at which the purposes of the association were discussed for the instruction of the individual members.

The nature of these purposes was revealed by the confiscated minutes of the meetings. They provided proof that the association was actually more

interested in Germany than in France. Almost all the people mentioned in these minutes were German workers, most of whom were still blameless and by no means refugees, but who were free to return to Germany at any time. One of the minutes of a meeting of the municipality of Cherval states: "The present rule cannot be overthrown without violent revolution. The proletarians must prepare for this revolution. We must act in the revolution without any consideration. During and after the revolution, arrest all ex-ministers, officials and creatures of the counter-revolution, confiscate their property and hand them over to a court of men of our principle. The parishioner Düber is not in favour of first handing over the reactionaries to a court, but rather they should be killed immediately under the pretext of general popular anger." This is the tone of almost all the protocols.

As a result of these discoveries made in Paris, a number of the identified members of the Communist League were put on trial in Paris, because the efforts of this League, although mainly directed against Germany, also intended to overthrow the French constitution. Cherval and the tailor Gipperich were sentenced to eight years' detention, Scherzer and the tailor Nette to three years' imprisonment.

On the basis of the material discovered by Stieber in London and Paris, he and other criminal authorities in Germany continued their search for the leaders and members of the Communist League in German cities, especially in Cologne, Berlin, Hanover, Brunswick and Hamburg, in the course of 1851. Above all, the aim was to capture the leaders of the schismatic Central Authority in Cologne, which represented the more moderate Marx-Engels school of thought. The Central Authority in Cologne was founded as follows. In December 1850, Marx and Engels left the Central Authority in London with their like-minded comrades and sent their like-minded servant Haupt, as emissary to Cologne, where at that time there was a leading circle for the Rhine Province under the heads of literary man Bürgers, Dr. jur.* Becker and cigar maker Röser, to convey the message to this circle that it had been elevated to the Central Authority. The leading circle of Cologne accepted this honour and constituted itself as the new Central Authority, as which it began its activities by sending emissaries to the German Communist communities to persuade them to recognize the authority of the Cologne Central Authority. One of these emissaries was the journeyman tailor Nothjung, who was arrested in Leipzig in May 1851.

* Dr. jur. is the abbreviation for juris doctor (JD), the degree or title for a graduate from law school.

On the basis of the papers found in his possession and the successful research in London and Paris, it was not difficult to identify the members and agents of the Cologne Central Authority. An investigation for attempted high treason was initiated at the Assize Court in Cologne against 12 persons, including Dr. jur. Becker (current Lord mayor of Cologne), writer Freiligrath, literary man Bürgers, cigar maker Röser, Dr. med. Daniels, Dr. med. Jacoby, Dr. med. Klein, journeyman tailor Nothjung. The hearing took place from October 4 to November 12, 1852, i.e. for a full six weeks. Röser, Bürgers and Nothjung were convicted of attempted high treason with 6 years each, Dr. Becker, chemist Otto and clerk Reif with 5 years and tailor Lessner with 3 years imprisonment, the other defendants were acquitted.

Despite the many lawsuits pending in 1851 against the communist organizations in Germany and France, the central authorities in London were not deterred from continuing to send new emissaries to Germany and attempting to reunite the as yet undiscovered elements of the League. In particular, Marx-Engels' party tried in every possible way to influence the trial pending in Cologne against the leaders of the League there. A lively correspondence was maintained between Cologne and London even during the Cologne assize hearings, which had no other purpose than to procure all possible witnesses and evidence in favour of the defendants and to mislead the judges and public opinion as much as possible. Stieber worked tirelessly to track down these continuing relationships and in particular the aforementioned correspondence, and not only did he succeed, but he also discovered a completely new branch of the Communist League in Cologne, which had formed during the long investigation against the arrested leaders. In particular, the efforts of the Central Authority in London were directed at eliminating its former emissary, servant Haupt, who, having become a traitor to the League, provided the most important information about the relations between the Cologne Central Authority and the London Central Authority. Not only promises but also threats were made to this traitor, and the London Communists actually succeeded in intimidating him to such an extent that he preferred to emigrate from Hamburg to America shortly before the start of the Cologne assize negotiations, so that his oral questioning before the court became impossible.

At the same time as the Cologne communist investigation, an investigation was also initiated in Hanover against the local master carpenter Stechan for attempted high treason. Stechan played an important role among the leaders of communism due to his energy and a certain degree of education. But his position in the alliance had become even more important because he formed the mediating bridge between the Marx-Engels and Willich-Schapper parties. Stechan corresponded equally eagerly with London and Cologne and enjoyed the trust of both central authorities. Stechan's letters to London were obtained there by Stieber, who sent them to the Hanoverian police. Stechan was arrested in May 1851 and an investigation was opened against him. However, he managed to escape in September 1851 and made his way to London with the help of several friends. Stechan's confiscated letters repeatedly stated that they, as well as money and other items, had been sent by courier. The police initially believed that this referred to a regular shipping service between Bremen and London, which was called "the Courier". However, suspicion later arose against the Hanoverian royal courier Feise from Hanover, who occasionally travelled between Hanover and London; on his next return journey from London to Hanover, he was stopped by Hanoverian police officers in Cologne and taken to Hanover. Two letters from the London central authorities to the communist community in Hanover were found in Feise's possession. Feise had obtained the promotions, the significance of which he did not completely overlook, more out of courtesy coupled with simplicity; he was dismissed from his post as cabinet courier.

Of the other Communist trials that took place in Germany in the years 1851-1853, the trial against the journeyman tailor Tietz before the State Court in Berlin (Supreme Court) deserves to be emphasized. According to the confessions made by the Communist Cherval in Paris before the police councillor Stieber, the journeyman tailor Tietz, who was currently in Hamburg, was an emissary of the Paris Communist League. Tietz was arrested in Hamburg and extradited from Hamburg to Prussia, as he was still a Prussian. An investigation for attempted high treason was initiated against him at his home authority in Lippstadt. In the meantime, however, the law of April 25, 1853 came into force in Prussia, which referred all high treason and treason trials to the State Court in Berlin, and the trial against Tietz also came before this court. On September 13, 1853, Tietz was sentenced to three years in prison for attempted high treason and a ten-year term under police supervision.

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2. The Rhenish Lalschmünzer research. von Hagen.

In addition to the extensive research into the Communists in England, France and Germany during 1852, the Police Councilor Stieber was given a second extensive task in this year, the investigation of the makers of counterfeit Prussian money orders and coins, as well as counterfeit French and English money, which were distributed in an alarmingly extensive manner in Germany, England and America during 1852. The counterfeits were mainly distributed from the Rhine Province and Westphalia, where the counterfeiting workshops were believed to be based. Stieber arrived there without having any evidence for his research, as the Rhenish and Westphalian police authorities had not yet identified a single person who could be assumed to be connected to the manufacturers and first distributors of the counterfeits. The paper money and the coins were either very skilfully produced, or had been manipulated many times to a state that made it difficult to detect the forgery, so that the forgeries were only stopped long after they had been put into circulation, after they had passed through many hands.

Stieber came alone to the Rhine Province, where he investigated the counterfeiters with the assistance of several Rhenish gendarmes assigned to him. Among these gendarmes was one named Schild, who was characterized by his decent nature. One day during his research, Schild was walking across a bridge in a Rhenish town in a grey civilian suit when suddenly someone tapped him on the shoulder and addressed him with the words: "Cortegas, how did you get here, the grabbers are here. Schild, who immediately suspected that the stranger had mistaken him for one of the forgers, took advantage of this confusion by engaging in a conversation with the deceived man, during which it turned out that he looked deceptively similar to one of the main forgers. The misidentified official then asked the confederate to follow him to his apartment, which he did. The suspect was arrested by Stieber and, thanks to Schild's remarkable resemblance to one of the main counterfeiters, within a few months Stieber succeeded in arresting almost a hundred people who were involved in the manufacture and initial distribution of the counterfeits, as well as shutting down several counterfeiting workshops.

The reward for Stieber's successes in the communist and counterfeiting investigations in 1852 was not long in coming. On January 19, 1853, Stieber was appointed police director and several months later he was formally given the independent directorship of the security department at the Berlin police headquarters, which he had in fact held from the beginning.

A sensational affair from Stieber's activities during the year 1852 deserves mention at this point. The famous tragedienne at the Berlin Playhouse, Charlotte v. Hagen, had married a Mr. van Oven, with whom, however, she did not have a happy marriage. She wished to be divorced from her husband, but she lacked the evidence of marital fault on the part of her husband which would give her the right to apply for a divorce. In her distress, Mrs. van Oven turned to the police councillor Stieber so that he could provide her with the evidence she needed to successfully conduct divorce proceedings by conducting suitable research into the lifestyle of her husband, who was living apart from her. Although this task assigned to the conductor of the criminal investigation department by the lady, who was still beautiful and popular in the highest circles, was not strictly within the scope of the criminal investigation department's functions (although it did involve the investigation of a criminal offense, adultery, the primary purpose of these investigations was not to prosecute the perpetrator, but to secure a conviction in a criminal court, but to result in a conviction in a divorce trial), Stieber nevertheless undertook it, as he hoped that in this way he would be able to track down the general immoral goings-on in the better social circles of Berlin, which at that time went far beyond the limits of what was permitted, and their hideouts, in order to be able to intervene vigorously against them.

This assumption was completely correct. It was ascertained that Mr. van Oven often frequented the home of a Mrs. Krause, who lived in a large, richly furnished apartment in Dorotheen street, and that almost every evening young men from the wealthy classes, as well as young ladies, came to the Krause apartment and usually did not leave again until late at night. Since there was a well-founded suspicion that these meetings, in which van Oven was involved, were of an immoral nature, Stieber went to Krause's apartment one night around midnight with several detectives and other officials, suddenly entered and witnessed a bacchanal that could not have been more shameless. Some of the surprised gentlemen, when they saw that all the doors were occupied by police officers, rushed to the windows and jumped into the street.

Most of the men and women were escorted to the police station and had to legitimize themselves there. To the great surprise of the detectives, the ladies included married women and young girls from the best social circles in Berlin. Stieber saw to it that the names of these ladies did not reach the public, but he did arrange for the publication and widest dissemination of his intervention against the lack of discipline in Berlin, so that the immoral youth of Berlin would be put in a salutary fright. With regard to the van Ovenschen divorce proceedings, the intervention of the criminal investigation department in Mrs. Krause's guest house (for which she was was later sentenced to one year in prison) had the consequence that Charlotte v. Hagen was provided with completely sufficient evidence of her husband's infidelity and that on the basis of this evidence the marriage was divorced at her request.

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3. the Tomaschek affair. - The stock exchange deception.

Of Stieber's criminal activities during the years 1853-1857, the following should first be highlighted: the Tomaschek Affair, the stock exchange fraud, the investigation into the railroad theft of a box of pins and the failed assassination attempt against King Frederick William IV.

The master tailor Franz Tomaschek in Berlin Unter den Linden had insured his life with a life insurance company for 10,000 thalers in 1848 and died a year later. The sum insured was paid out to the surviving wife on the basis of a death certificate issued by a doctor, and she made off with it. One day in 1851, a Hungarian rogue was arrested in Berlin and brought before Detective Inspector Rockenstein at the Berlin police station. During his interrogation, this rogue made the captious statement that the foreign rogues would be arrested, but the big Berlin rogues would be let go. The Hungarian rogue, who had been in Berlin years ago, then told the detective commissioner that he had met a man not long ago on his forays through Bohemia whom he did not know by name, but whom he had seen in Berlin earlier. There was a rumour going around Bohemia that this man had acquired a large fortune through a forged death certificate.

Rockenstein immediately took up the investigation of this puzzling case on the orders of Director Stieber, and succeeded in establishing that

Tomaschek, who had died several years before, had insured his life with 10,000 thalers a year before his death, and that after his death the widow had left with the 10,000 thalers and had not reappeared. These facts aroused the suspicion that Tomaschek had not died at all, but that a sham burial had taken place on the basis of a forged death certificate. Tomaschek's grave was dug up and a plank and several pieces of decomposed meat from a calf were found in the coffin. Rockenstein then went to Bohemia, where, after some investigation, he found the "deceased" master tailor Tomaschek in a small town, who had returned to life as a annuitant and was leading a quiet, contemplative life there, least suspecting that he might be disturbed in his quiet life by the Berlin criminal police. Tomaschek was handed over to the Prussian authorities. In addition to the Tomaschek spouses, a brother of Tomaschek who lived in Berlin and the doctor who had issued the false death certificate for a price of 1000 thalers were involved in the great fraud.

Towards the end of 1854, Stieber investigated a betrayal of telegraphic stock exchange dispatches, through which several local bankers were for a time able to speculate with great success in foreign government securities on the local stock exchange. The incident was as follows: In the fall of 1854, it was noticed on the Berlin stock exchange that a salesman, who had previously been employed in a banking business and was notoriously penniless, suddenly started to attend the stock exchange every day and made significant purchases in foreign government securities, which, strangely enough, regularly rose after the speculator had bought on favourable telegraphic news from foreign stock exchanges. The suspicion arose that the speculator, through the treachery of telegraph officials, immediately learned the contents of stock exchange telegrams sent from abroad to large local banking houses, and that the unfaithful officials delayed the dispatch of the telegrams to the authorized addressees by hours.

The observation of the speculator - the names of the speculator and the other merchants involved in the affair are not mentioned, as they are still alive and have never again come into conflict with the criminal laws - by a criminal investigator had no further success than the discovery that the speculator's younger brother, only twenty-two years old, came to the stock exchange every day at the beginning of the exchange, conferred there with the speculator and then left again. Continued observation of the younger brother led to the discovery that he met with a telegraph clerk J. every day shortly before the stock exchange in a pub near the main telegraph office, where J. regularly slipped him a note.

One day, as the speculator's younger brother was hurrying from a meeting with the telegraph operator to the stock exchange, he was apprehended in front of the exchange by a detective pursuing him and a note was found in his pocket on which several foreign government securities had been written by telegraph operator J.'s hand. J., the speculator and his younger brother were now arrested. The arrestees admitted their treacherous collaboration and also named a banker who had provided the speculator with the significant funds to carry out his stock market speculations. The telegraph clerk noted down the large purchase orders for certain securities, especially foreign government securities, from the incoming dispatches to important Berlin banking houses on a sheet of paper and transmitted these notes to the speculator in the manner described, while on the other hand he ensured that the copied dispatches reached the hands of the addressees a little later. The speculator thus had a head start of half an hour or even longer and he took advantage of this lead by immediately buying up a lot of the government securities in question and then, when the dispatches had reached the addressees, and they carried out the telegraphic purchase orders, sold to them at a profit. In the course of further investigations, a second telegraph official and two other bankers were implicated in the investigation on suspicion of having taken part in the betrayal of the dispatches. However, only telegraph clerk J, his two accomplices who had been arrested with him from the outset and the banker mentioned first, who had provided the speculator with the funds to carry out his stock exchange speculations, were convicted.

A few months after these investigations, a series of telegraphic dispatches to a Paris paper from Berlin, as well as other newspaper articles about the then secret diplomatic mission of Lieutenant General von Wedell to Paris to the Emperor Napoleon and about the instructions given to him personally by King Frederick William IV with regard to the then pending oriental question, caused an embarrassing sensation. As several of these indiscretions could have been caused by the fact that they were taken from official telegraphic dispatches, with the assistance of disloyal telegraph officials, careful investigations were carried out by Stieber in this direction on the king's orders*, but these led to no results. A Berlin newspaper correspondent, who had been prominently involved in the indiscretions in question, proved that they could very well have been taken from the notices about General v. Wedell's mission published in the newspapers by the literary bureau of the Prussian Ministry of State, albeit with an unusual gift for

combination, and that there was therefore no positive basis for assuming that the indiscretions were based on a criminal offense.

*) The care with which King Frederick William IV studied the political correspondence of the renowned newspapers is shown by the following letter to Mr. v. Hinckeldey, written by the King himself in the above-mentioned matter:

Dearest Hinckeldey

The relevant Gen. Augsburg. Newspaper contains a communication from Berlin, about whose sender, intention and origin I would like to have very positive information. You will instruct P. -D. Stieber to investigate this and at the same time to pay attention to the senders of the articles in the Weser-Zeitung, which always bring very specific news from Berlin under Δ, X/X, 0 at a time when no one can know this without violating official discretion. I make it my special duty to Stieber to exercise the greatest care and energy and the most resolute fidelity and truth in reporting any discoveries and look forward to your report as soon as possible.

Ch. 21/3. 55. F.W.R."

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4. The ignition needle theft and the Russian agent Staatsrath Klindworth.

During the rail transportation of a barrel of priming needles * from the Sömmerda rifle factory near Erfurt in August 1856, this barrel was stolen at the railroad station in Düsseldorf, where the freight wagon with the aforementioned barrel had stopped for the night. As private individuals could have no obvious interest in the theft of firing needles, which in themselves could not be utilized without the rifles belonging to them, the Rhineland authorities investigating the thieves suspected that a state crime had been committed, and the investigating officer entrusted with the research came to the conclusion that the thief had stolen the rifle, that the Russian agent in question, State Councillor Klindworth, who was on the Rhine at the time and had attracted attention through his secretive activities, had carried out this theft in the interests of the Russian government together with his industrialist friends, Mr. Werth, Mr. Siegheim and Mr. Block, as well as Lassalle, who was in contact with these industrialists, and Countess Hatzfeldt. This suspicion was apparently strengthened by the fact that

Klindworth had been in serious negotiations with Werth to establish an arms factory for Russia and that the Russian government must have been very keen to replace its outdated rifles, which had proved to be quite inadequate in the Crimean War, with modern rifles and to get behind the closely guarded secret of the other states' modern rifle designs.

* In 1835 after several tests in Erfurt, Prussia, Johann Nikolaus Dreyse of Sömmerda, developed a needle ignition rifle based on a paper cartridge. For his system, the cartridge was ignited when the needle punctured the ignition pellet in the cartridge. This allowed much quicker loading than the usual muzzle loaders.

In view of the great importance of establishing the facts of the case, the Prussian State Ministry decided to send a special commissioner to Düsseldorf to investigate the theft and instructed the police director Dr. Stieber to do so, who went to Düsseldorf, Cologne, Bonn and Godesberg accompanied by the police councillor Goldheim. The investigation yielded a negative result, according to which it was not a crime against the state, but only an ordinary theft committed by thieves who had already committed numerous other similar railroad thefts shortly before, aided by the poor supervision at the Düsseldorf station, and had suspected other objects of use to them in the barrel of ignition needles.

Although this result stripped the whole affair of its sensational character, Stieber's official report on his investigations is nevertheless highly interesting, since in it Stieber dealt quite thoroughly with the characterization of the enigmatic Klindworth, among other things.

"Klindworth is," wrote Stieber, "about which there can be no doubt, a Russian agent. In the last war between Russia and the Western powers, Russian arms supplies were insufficient. Russia therefore maintained a large number of agents abroad who bought and manufactured weapons and sent them to Russia. In particular, large quantities of rifles were manufactured in Belgium and even in England for Russian account. However, the transportation of these weapons was very difficult, at sea the English cruisers were feared and when transported through the German customs union these shipments were considered forbidden war contraband. The Russians therefore also maintained numerous middlemen in the German Customs Union, to whom these shipments of weapons were addressed under the heading "short iron goods" and who passed them off as their own requirements. The Russian General Benkendorf directed this entire

transport from Berlin. The English and French envoys maintained a system of spies to spy on these transports and finally uncovered them towards the end of the war, forcing the Prussian governorate to finally take official action against them. I myself had to take away several thousand such rifles from the court forwarding agent Moreau-Valette as a result of these negotiations. Although the war had come to an end in the meantime, Russia continued its efforts to improve its stocks of weapons as a result of the bitter experiences it had made, and focused its attention in particular on obtaining weapons from Germany itself, because the direct purchase of these goods from Germany does not contradict the international treaties, and only transit is considered the transportation of war contrabands.

"Klindworth now made the general suggestion to Werth that they both wanted to set up an arms factory for Russia or in Russia. Mr. Werth is a wealthy speculator who is particularly interested in the formation of stock companies and the investment in factories, and in this way maintains connections with wealthy Dutch merchants. Incidentally, Mr. Werth is a cheerful bon vivant who enjoys making acquaintances and engaging in fantastic projects. He became acquainted with Klindworth through the bridge renters Siegheim and Block, wealthy businessmen who had hitherto been completely blameless, and through them Klindworth also became acquainted with Lassalle, a close relative of Mr. Siegheim. As a result, Klindworth suggested to Mr. Werth that he set up an arms factory for Russia. Specifically, Werth was to travel to England to learn about the manufacture of steel for Lancaster cannons and to hire workers from the factories in Solingen. No great secret was made of the matter, and no great importance was attached to needle guns and firing needles. Naturally, the latest designs for the various types of weapons were to be taken into account, and Klindworth also possessed drawings and stops in this respect. Werth presented this business to his Dutch shareholders, but received a negative response because they already knew Klindworth to be unreliable, and the negotiations with Werth consequently came to nothing.

"The whole of Klindworth's offer, which incidentally falls in the month of June of this year (two months before the theft), seems to have a purely mercantile and not a political character. I even think it is possible that Klindworth has quite properly swindled the rich and apparently rather gullible pp. Werth quite properly. Klindworth obviously wanted to appear to Werth with a certain nimbus (halo) by developing a diplomatic apparatus that was quite superfluous for his circumstances with the greatest possible

ostentation. He loved to conduct his correspondence in telegraphic dispatches, he received and dispatched alleged couriers from Stuttgart, he showed around handwritten letters from the King of Württemberg etc.

"After his negotiations with Werth concerning the arms factory had failed, Klindworth presented his project to various other merchants in Bonn. Under these circumstances, it is probably not yet possible to express a definite suspicion that Klindworth is connected with the barrel of ignition needles that went missing in Düsseldorf in August of this year.

"Moreover, the nature of the object in question and the personality of Klindworth himself speak against such an assumption. In the case of the theft of the ignition needles by way of a state crime, it could only have been a matter of a chemical examination. However, a few specimens would suffice for such an investigation, if a chemical examination promises any success at all. A few specimens of the ignition mirrors can be obtained, however, quite unnoticed, without the need for such a dangerous undertaking as the theft of the barrel in question from the railroad train, and without having to make the enormous financial sacrifices that would certainly be necessary to entangle such wealthy, clever and cautious persons as Klindworth, Lassalle, Siegheim, Countess Hatzfeld, etc., in such a dubious plot.

"Klindworth is also proven to be a Russian agent. The fact that he is being zealously pursued as such, especially by the French, is quite clear from the recent investigations into the agents Techen and Hassenkrug (for diplomatic treachery, which will be reported on in the following chapters). Russia, with its notorious relations with the Prussian state, certainly does not need to resort to theft in order to obtain firing needles of the kind in question, which every soldier carries in his cartridges. Klindworth may be a man who can be expected to engage in any diplomatic agitation, but in the opinion of people who know him very well, he is not capable of common theft. At the very most, events and advantages of an overwhelming magnitude could induce him to undertake such a dangerous undertaking, and such a significance can probably not be attached to the ignition needles stolen here.

"Klindworth is actually a philologist, but a man of particular diplomatic talent, which prompted him, after he had given up his position as a tutor, to devote himself to writing in Berlin in 1820. He then entered the service of Duke Carl of Brunswick, who was later expelled, and gained such influence with him that he was elevated to the nobility and went with him to

Paris during the revolution that robbed this duke of his crown. There he served various powers, and he entered into a particularly friendly relationship with Minister Guizot. The high point of his diplomatic career also came at this time. In 1848 he had to flee Paris together with Guizot, and he turned to Stuttgart, where he gained considerable influence with the King. He lived in the palace, administered the functions of a cabinet secretary and was appointed councillor of state. There is talk of peculiar family relations between him and the Württemberg court, and even today he has the most intimate relations with this court, which he has already exploited several times to the considerable advantage of the Prussian governorate, especially at the time when diplomatic relations between Prussia and Württemberg were broken off. Klindworth is still on friendly terms with Guizot today, and also maintains intimate relations with Disraeli in London. Klindworth now lived in Brussels, where he was said to enjoy the protection of the King of the Belgians.

"He has been accompanied several times by pretty young girls whom he claims to be his daughters. Whether they really are, or whether he uses them as assistants to support his diplomatic and mercantile operations, I leave open. Madame Denis-Street is really his daughter. This lady is said to be the divorced wife of an Englishman, very pretty and witty, and keenly interested in politics. She stayed for a time first in Stuttgart, then in Weimar with the conductor Liszt, then in Berlin in the British-Hôtel, where she tried in vain to obtain a Prussian passport. She now lives with her father in Brussels and was in his company on the Rhine in the summer. For the most part, they both stayed in Bonn and Godesberg. They lived there very simply, almost miserably, and left a first-class hotel because the rent was too expensive for them."

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5. The false assassination attempt against the king. - Recognition of Stieber's achievements.

In May 1857, an alleged assassination attempt against King Friederich Wilhelm IV kept police director Stieber busy, whose meticulous research uncovered a diabolical plan, which was not directed against the king but against the alleged assassins.

On April 27 and May 6, 1857, the then Berlin police president Freiherr v. Zedlitz received two letters with the signatures: G. Langner and W. Hartert from St. Paul Minnesota, March 17 and March 24, 1857, and the postmark New York. In these letters, Menthe, a rentier living in Berlin, and Sprung, a master carpenter also living there and a son-in-law of Mrs. Menthe, were accused of both being tools in a conspiracy spread in America and Berlin to poison the king. Menthe and Sprung maintained highly treacherous correspondence in code with the president of the secret society in America. In the letters, the key to the cipher was then developed and, in particular, it was pointed out that three letters containing poison intended for the king would be sent from America to Menthe in the next few days. Finally, in these letters of denunciation, the Chief of Police was advised to seize the persons of Sprung and of an apprentice Howe, who was related to Menthe's wife (and who would also be involved in the murder plot), and to confiscate all letters arriving at Menthe's address from America.

Although the suspicion arose from the outset that these denunciations were aimed at mystification, the possibility that there was some truth in the matter could not be denied. The Chief of Police handed the matter over to the Director of Criminal Investigation, Mr. Stieber, who, as it concerned an alleged assassination attempt on the life of the Head of State, arranged for the most comprehensive and cautious investigations to be carried out.

The detailed observation of Menthe, Sprung and the apprentice Howe over several days did not in any way confirm the accusation made against them. Menthe and Howe were two completely harmless people who had never been involved in political endeavours. Menthe, in particular, was a weak, overgrown man who lacked all energy and vigour. Sprung had no contact with Menthe at all, he was even enemies with him. Sprung was a rather frivolous man who had leaned towards the democracy in 1848, but had not been involved in any political endeavours since 1848.

Furthermore, with the involvement of Chief Public Prosecutor Schwarck with Stieber, a confiscation of letters arriving at Menthe's address from America was initiated at the post office. As a result of this measure, two letters were stopped at the post office with the address: "Mr. Menthe, Grosse Frankfurter street No. 112, Berlin, Prussia", one of which bore the New York postmark, the other the Bremen postmark. Both letters and three other letters bearing the New York postmark and arriving on the same day were opened and revealed exactly the same contents. The contents consisted of a whitish

powder carefully glued into yellow paper and a note with eight lines in cipher. A translation of these eight lines, using the key given in the above-mentioned denunciation, produced the following words: "Here is the remedy that will surely put Champagner=Fritz to rest. Sprung will get it. Good luck. Report through speech - The Brothers of the Confederation.

A chemical examination of the white powder found in the letter revealed that it consisted of pure strychnine, one of the most terrible and dangerous poisons.

In order to obtain the clearest possible conviction of the guilt or non-guilt of the addressee in this puzzling and peculiar situation, recourse was taken to a police operation that had already been used successfully in similar cases. The two highly treacherous letters received by Menthe were artificially reproduced with their envelopes, so that the reproductions looked deceptively similar to the originals, except that instead of the dangerous strychnine powder, a different harmless white powder of cornflour was packed in them. Both letters were sealed and then transported by reliable persons in the uniforms of letter carriers with a gap of several days between them. Menthe was then carefully observed to see what he would do with the letters, and Stieber decided to carry out a careful search of his and Sprung's houses after eight days and to ascertain the whereabouts of the two letters and their contents, as well as Menthe's actions with regard to the two letters.

Menthe accepted the first letter with the New York postmark without hesitation. But when a few days later, on May 12, the second letter bearing the Bremen postmark was delivered to him, he refused to accept it and behaved so harmlessly and open-heartedly towards the detective who delivered this second letter to him in the guise of a letter carrier that not the slightest doubt could arise as to his innocence. He told this official that a few days before he had received a letter from New York with a note full of illegible writing and a white powder, and that he was at a loss to explain this puzzling despatch. Menthe said that he had also shown this letter to his doctor, but that the latter had also been unable to decipher the contents, and that after tasting the powder contained in the letter, he had given it to the provident in a neighboring pharmacy for examination. At the same time Menthe told the official that he suspected that the letter had come from the American preacher Krause, a relative of his wife, who seemed to be pursuing hostile plans against him. With this decision, the pseudo-letter carrier had to leave.

The mere mention of the name of the preacher Krause in America was enough for the criminal investigation department to lift the veil in which this mysterious affair had previously been shrouded. Krause had already become known several times to the local police headquarters as a swindler who made a business out of mystifying the authorities with pretences of political conspiracies. He had been sending fraudulent denunciations to the authorities and high-ranking persons in Berlin for years, initially from Berlin and then from there after moving to America, and had swindled himself out of considerable sums of money for the prospect of further investigations and charges. In this miserable business, Krause had developed a skill in intrigue which enabled him to surpass similar forgers such as Ohm, Gödsche etc., with whom the Prussian government had had very bitter and costly experiences. However, since the authorities had finally seen through his unclean trade, he had not bothered the Berlin police headquarters with denunciation letters for years before this poison murder denunciation.

A comparison of the handwriting of the two denunciations addressed to Menthe and Sprung with the handwriting of the preacher Krause in his earlier denunciation letters addressed to the police headquarters immediately led to the conviction that the denunciations against Menthe and Sprung originated from Krause. Even the addresses of the two letters containing strychnine powder addressed to Menthe, which had been seized at the post office, showed an unmistakable resemblance to the characteristic handwriting of the preacher Krause, even though they were written in a disguised hand.

The search of Menthe's and Sprung's houses and their interrogation by the director Stieber revealed that both were completely innocent, and that the preacher Krause had spun an intrigue against them by means of the above-mentioned denunciations, which was only calculated to cover up serious crimes which Krause had partly committed and partly attempted to commit against Menthe from America with greedy intentions. In general, Krause's behaviour turned out to be truly diabolical, all the more so because Krause was constantly playing a sacrilegious game with his alleged piety and his unlimited love for the person of the king in his deceptions.

During the house searches at Menthe and Sprung, correspondence with Krause and other relatives of Menthe was found, which, in connection with the information provided by Menthe and his wife, revealed the following facts:

The preacher Krause was a brother-in-law of the Menthe couple and Menthe had given a daughter of his deceased brother, named Sophie, to him as a pensioner. In 1854, Krause went to America and took his pensioner Sophie Menthe with him. In 1856, two children from a previous marriage of Mrs. Menthe, the locksmith Berthold Howe, and his sister Marie, who was married to the aforementioned carpenter Sprung but lived separately from him, also followed him to America with about 1000 Thlr. of cash. There Howe and his sister joined Uncle Krause, as they had complete confidence in him. Krause now used this trust to attempt a great fraud against Menthe. He concealed the letters that the children wrote from America to their parents and handed over to him for delivery, thereby interrupting the correspondence between the two parties. He then wrote a letter to Menthe in which he deceived him into believing that he had bought land for his children for 5000 thalers and, allegedly on behalf of the children, asked him to send the remainder of the purchase price of 4400 thalers to him as quickly as possible through a bank. Menthe did not respond, however, as he was not in a position to dispose of such a large sum. It was only a few months later that Menthe and his two stepchildren in America realized that the God-fearing Pastor Uncle Krause had set up the fraud in order to get hold of the 4,400 thalers and keep this money for himself. Soon afterwards, Krause drew a bill of exchange on Menthe in Berlin for 62 thalers by falsely putting the name of Berthold Howe under the bill as the drawer. Menthe also paid this bill in the belief that it was drawn by his stepson. As a result of these criminal, wretched actions, Menthe took his niece Sophie out of Krause's pension, depriving him of a source of income. Filled with revenge against the Menthe family and fearing that Menthe might hand him over to the criminal authorities, Krause devised the diabolical plan of accusing Menthe and his son-in-law Sprung of a poisonous assassination attempt against the king and sending them the strychnine powder so that this shipment would substantiate the accusation and thus entangle the Menthe family, diverting their attention from his frauds.

Although Stieber, in his report to the state government about this diabolical piece of work, urged the prosecution of Krause through diplomatic channels, this suggestion does not seem to have been followed by the Manteuffel ministry at the time, because Krause then lived for many years in America, unmolested by the criminal authorities there.

Stieber's work as a criminalist continued to enjoy the undivided recognition of his superiors, which was expressed in numerous letters of

appreciation and the granting of gratuities. Stieber was also dependent on such honorary gratuities in material terms, as his salary consisted of only 1000 thalers a year, to which 400 thalers a year were added for his editorship of the Central Police Gazette and 150 thalers for his work at the official Prussian (Adler-) newspaper, and later at the official journal "Die Zeit" (“The Times”). With this income, however, Stieber was able to support his family, consisting of his wife and 7 children, just enough to make ends meet.

Stieber owed his numerous criminalistic successes first and foremost to his own keen eye and his tireless activity, which did not shy away from any mental or physical exertion and therefore spurred on his subordinate officers. He treated his subordinates almost as if they were his equals, very seldom letting them feel that he was a formidable boss, and yet he enjoyed unparalleled respect among the officers of the criminal investigation department; he was regarded by them as an infallible criminal authority whose orders were blindly followed for the sake of their absolute expediency.

Secondly, the Bormann-Rockenstein-Pick trio contributed to his successes. Under Stieber's leadership, these three detectives rendered outstanding services to Berlin's security situation. The detective commissioner Bormann had already worked together with Stieber in the detective commissioner's office in 1844 and, when Stieber took over the management of the criminal investigation department in 1850 and thus became his superior, initially found it difficult to subordinate himself to Stieber. However, the respect that Stieber showed him for his criminalistic abilities soon reconciled him to the new situation, and he became a loyal colleague of Stieber's until the latter left his position as criminal police director.

Among the papers Stieber left behind is a letter from the Berlin magistrate to Stieber dated October 18, 1853, from which it emerges that he was recognized not only as a capable criminalist, but generally as a man of general practical acumen in wider circles. The letter reads as follows:

"The current high prices of the most necessary necessities of life have prompted the municipal authorities to have a deputation consult on whether and what measures should be taken to avert further deprivation. In view of the importance of the matter, the deputation has deemed it desirable that this consultation should also include personalities who have a detailed

knowledge of current conditions and are particularly familiar with stock exchange trading. Your Worship would do me (the letter is signed by the Chairman of the Deputation) a particular honour if you would be inclined to participate in the Deputation's deliberations on 22nd March, 4 o'clock in the afternoon, and to share your valuable experience with it."

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6. The Manteuffel regime and the illegal service practices of the Berlin criminal police.

Before continuing with the description of Stieber's activities as criminal police director of Berlin, it may be permitted to take a brief look at the time in which these activities took place, as they can only be understood in the context of the general political situation. On the basis of the proclaimed constitution of December 5, 1848, and an electoral law of December 6, 1848, elections were held in Prussia to the two chambers convened for February 26, 1849, which secured the conservative or reactionary party a majority in both chambers and made this party the master of the political situation. Although Frederick William IV resisted the insistence of the Christian conservative party to return to the corporative organization of the monarchy before 1848, the king did not want to revoke the constitution he had conceded, but it was to be reshaped in a monarchical and conservative sense so that a strong kingdom would remain. This endeavor resulted in the enactment of the three-class election law for the second chamber on May 30, 1849 and the constitutional charter of January 31, 1850, which did not incorporate a number of democratic provisions of the octroyed constitution. This constitutional document was proclaimed by the King on February 6, 1850 before the united two chambers, in which he expressed the hope that the united honest efforts of the chambers and the government would succeed in making the constitutional work more and more appropriate to the living conditions of Prussia. The Ministry of State, headed by Manteuffel (the former Minister of the Interior) after the death of Count Brandenburg (6 November 1850), while Westphalia took over the Ministry of the Interior, Raumer the Ministry of Culture and Simons remained in his position as Minister of Justice, did its utmost to implement this royal proclamation in a one-sided manner by working hand in hand with the so-called "Kreuzzeitungs * Party" to curtail the liberal achievements of 1848 through

reactionary laws. The compliant chambers approved a law concerning the misconduct of judges and their involuntary transfer to another position or retirement, and the Press Act of May 22, 1851. After the conclusion of the chambers, the manorial police administration was restored by decree of May 21, 1851, and the convocation of the old provincial estates, which had been abolished by the constitution, was ordered by decree of May 28, 1851. A new disciplinary law against civil servants was passed in June 1852, on May 3, 1852 political trials were removed from the juries, and in 1854 Stiehler's regulations for elementary schools were introduced. On October 12, 1854, the first chamber, half of which had constitutionally emerged from free elections, was replaced by the "House of Lords," which was composed of all conservative elements of the state and which emerged in a vanishingly small part from estates or corporate elections. This system of regression prevailed until 1858, when Prince William of Prussia took over the regency in Prussia following the illness of Frederick William IV.

* Kreuzzeitungs original name was officially the Neue Preußische Zeitung (New Prussian Newspaper), although because of the Iron Cross as its emblem in the title, it was simply called the ‘Kreuzzeitung’ (Cross Newspaper) in both general and official usage.

The prevailing tendency in the actual state government, the executive, also corresponded to these reactionary efforts in the field of legislation. Numerous liberal laws were so closely interwoven with the constitution that abolishing them was tantamount to abolishing the constitution. However, the government was unable to take such a far-reaching step as to abolish the constitution, fearing a renewed awakening of the popular spirit, which could suddenly overthrow the entire reactionary system and its supporters. These laws were retained, but in practice they were ignored and violated as far as possible. In particular, the criminal procedure, which after the introduction of the constitution in Prussia underwent a substantial transformation on a legal basis in line with democratic tendencies, as well as the associated substantial restriction of the powers of the security police, were a bone of contention.

In absolutist Prussia, (i.e. under the previous system of absolute monarchy which existed prior to 1848) the criminal police authorities were authorized to intervene independently, and not as servants of the judiciary, to investigate criminal acts and arrest the perpetrators, to arrest and investigate suspects, to keep them in police custody until the criminal offence had been established and then, at their own discretion, to release the suspects or refer them to the

judicial authorities for trial. These powers were taken away from the criminal police by the judicial laws enacted in 1848 and their activities were restricted to the investigation of criminal offenses and the investigation and arrest of suspects, who, unless the criminal police had ordered their immediate release on their own examination of the facts, had to be brought before the judge the day after their arrest so that the judge could decide on their arrest or release. The criminal investigation department was now obliged to bring every criminal offense that came to its attention through a report or its own investigations to the attention of the competent judge, without having any right to refrain from bringing the matter before the court at their own discretion in the case of an objectively existing criminal offense.

In absolute Prussia, the king, the state government and other influential personalities could make use of the criminal police for purposes that were quite distant from criminal justice; the criminal police authority, which was obliged to obey the superior administrative authorities, could have undesirable people rendered harmless through prolonged deprivation of liberty without the competent court needing to know anything about it, the criminal police could cover up criminal offenses if influential personalities were involved and this was desired from above; the criminal police could also develop an influential mediating activity in civil law, family and other disputes that were not subject to criminal justice, using the means of coercion at their discretion. However, such use of the means of coercion to which the criminal police were entitled was unlawful, but the laws granted no protection against such police excesses as soon as they were approved from above. In such cases, the persons offended by such excesses were completely defenceless. This state of personal lack of freedom was significantly changed for the better by the Prussian constitution and the resulting legislation.

However, almost a whole decade passed before this change for the better was strictly realized in practice, and it was precisely during this transitional period that Stieber worked as head of the Berlin criminal police, which had to ensure that in general the business of the criminal police department was kept within the limits of the new liberal laws, and on the other hand, at the request of his superiors, the police president and the ministers, and often on their strict orders, in individual cases where state interests or the interests of influential personalities collided with the legal provisions, to circumvent these laws or, if there was no other way, to violate them flagrantly. In individual cases where state interests or the interests of influential personalities collided with the legal provisions, he circumvented

these laws or, if there was no other way, flagrantly violated them. This unlawful exercise of criminal police functions, in some cases ordered or desired from above, could not, of course, have a salutary effect on the character of the conductor and the officers of the Criminal Investigation Department. The consequence was that the laws given for the protection of personal liberty were generally ignored in many cases in which the criminal police considered it expedient, and that the public prosecutors, who should have remonstrated against this, remained silent, since they were aware that even the Minister of Justice occasionally used the services of the criminal police in some matters in which he wished that the courts should not be given the opportunity to interfere. "Mr. von Hinckeldey," wrote Stieber in a report dated March 17, 1860 to the then Minister of the Interior, Count Schwerin, "was a man who frequently disregarded the existing laws in the interests of the counter-revolution which he represented. Mr. Schwarck (the then Chief Public Prosecutor at the Court of Appeal) remained silent about all of its illegalities. Arrests, house searches and confiscations of newspapers took place almost daily without sufficient legal grounds. Mr. von Hinckeldey went so far as to re-arrest persons whom the courts had released in open opposition to them (I only recall the proceedings against the literary man Vehse), the whole country knew of this and these facts could not have escaped the attention of the Minister of Justice and the Chief Public Prosecutor, especially since most of the acts had to pass through the hands of the latter. ... The extent to which the Minister of Justice (Simons) and the Chief Public Prosecutor have subordinated themselves to police interests for years may be seen from the following fact, which in its time aroused the deepest indignation, but also panic among judicial officials and at that time completed the predominance of the police over the judiciary. In the well-known political investigation against Ladendorf, Falkenthal and comrades, with which I never had anything to do for my own peace of mind, the examining magistrate, the current court official Schlötke, very soon became alerted to the police weaknesses of this investigation, and Mr. Schlötke, an acknowledged legal and generally respected man, accordingly conducted the investigation to the best of his conviction. At the insistence of Mr. v. Hinckeldey, Mr. Schlötke was expelled from the courthouse overnight by order of Minister Simons, in the true sense of the word, in a manner that must have deeply offended the dutiful official."

The violations of the law committed and tacitly tolerated in this way were mainly related to the provisions of the law of February 12, 1850 on the protection of personal freedom:

> "Any person provisionally arrested must either be released within the following day at the latest, or the necessary steps must be taken within that time to bring him before the public prosecutor at the competent court."

This provision was violated twice, in that the police regularly brought the prisoner to court only on the second day after the arrest and arranged for him to be brought before the examining magistrate, completely bypassing the public prosecutor, so that no application for judicial arrest was required or made by the public prosecutor and no judicial arrest order was issued in the statutory form. The purpose of the law: the twofold examination of police arrests by the public prosecutor and by the examining magistrate, the necessity of fixing the result in a written application, a written decision, was abolished by the practice of the Berlin police headquarters described above.

This deviation from the legal regulations was already discussed in 1852 at a joint conference of the court officials involved, the public prosecutor's office and the police headquarters, and it was decided by the conference, in view of the peculiar circumstances of the city of Berlin and the numerous detention cases that had to be dealt with on a daily basis, that police prisoners intended for court proceedings should be brought before the examining magistrate and taken to the court prison, bypassing the public prosecutor. Similarly, the report of the arrest should be sent directly to the examining magistrate, who will immediately question the prisoner and decide on the continuation of his detention, saving a number of procedural steps. In this strange, unlawful decision, those involved assumed that the Berlin criminal investigation department would be given a general mandate by the public prosecutor's office.

This decision sanctioned, as it were, the previous unlawful practice of the police, and when in November 1853 the senior public prosecutor Schwarck at the Court of Appeal, who had only recently taken up this position, urged the public prosecutor's office to put an end to this abusive procedure and to observe the legal regulations, Mr. v. Hinckeldey complained against this, stating that he could not vouch for the security of the residence with Mr.

Schwarck's innovations. Chief Public Prosecutor Schwarck was therefore recommended by the Minister of Justice to enter into oral negotiations with Mr. v. Hinckeldey on the elimination of individual unlawful practices in the arrest of persons. In a conversation between the Chief Public Prosecutor and Mr. von Hinckeldey, the latter declared himself willing to discuss the question of police procedure in judicial arrests again in a conference of all the senior police and judicial officials involved.

This conference took place on March 4, 1854, and was attended by the Chief of Police, Director Stieber, the Chief Public Prosecutor, the Public Prosecutor at the City Court, the President of the City Court Schröder and the Examining Magistrate Schlötke. In the conference, these officials discussed in all seriousness whether and to what extent they, as the representatives of the Berlin judiciary and police force, should comply with the law of February 12, 1850 for the protection of personal freedom in practice.

The result of the conference was that Chief Public Prosecutor Schwarck agreed that the criminal police should present their prisoners directly to the examining magistrate (bypassing the public prosecutor) and that it would then be left to the examining magistrate to consult with the public prosecutor. Similarly, the previous practice of the police headquarters remained that persons arrested in the evening did not have to be brought before the examining magistrate until the second following day. At the aforementioned conference on March 4, 1854, Chief Public Prosecutor Schwarck and the other members of the conference also agreed with this practice in response to the police officers' submission that, in view of the workload, it was generally not possible to bring prisoners before the magistrate within 24 hours. When the minutes of the conference were drawn up, however, it was decided not to include this decision in the minutes, which openly contradicted the wording of the law.

It was only after the death of the powerful Chief of Police v. Hinckeldey that Schwarck raised his voice against this and in 1857, in the affair of the Prince of Armenia, which we will deal with later, he offered to bring charges against Director Stieber for deprivation of liberty to the Minister of Justice Simons because he had kept the Prince in police custody for two days instead of the permitted one day.

These regular violations of the law, sanctioned by resolutions of the authorities involved, had factual reasons in themselves and did not cut so deeply into the liberal, constitutionally guaranteed rights of citizens, but there were also cases, in which, on the orders of the Minister of Justice Simons (Minister of Justice from 1849 to 1860) and with the prior knowledge of the Chief Public Prosecutor Schwarck at the Court of Appeal, politically suspicious persons were held in police custody for weeks, even months, without a judicial order for their arrest having been issued or even obtained, and without the detainees ever being questioned by a judge. One of the most blatant cases of these violations of the law was the police proceedings in the Potsdam dispatch case.

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7. The Techen telegram betrayal.

In 1855, a former lieutenant named Techen, an old man aged seventy, managed to get hold of the correspondence of General von Gerlach and Cabinet Councillor Niebuhr, the two leaders of the so-called Kreuzzeitung party at the time, at the time. Among these papers were reports by the Prussian military plenipotentiary in Petersburg, Count v. Münster-Meinhövel, which contained information about the conditions of the Russian army and the state of affairs in Sebastopol, which was under siege at the time. Techen utilized the copies by delivering them to the French legation in Berlin, which not only drew useful information from them about the Russian conduct of the war, but also about the one-sided way in which Prussia's neutrality was interpreted by some influential men in Prussia at the time. The investigations immediately initiated by Police Director Stieber led to the arrest of Techen on January 29, 1856, who, convicted, made a comprehensive confession the very next day, which contained highly interesting details about the state police activities at the Foreign Ministry and at the legations in Berlin at that time.

Techen, as he testified at his interrogation on January 30, 1856, had been employed for some time as a secret agent of the Minister-President Baron v. Manteuffel. He had to report to the minister on the situation in Potsdam, where the heads of the so-called Kreuzzeitung party resided. Kreuzzeitung party resided there, and received unspecified fees for this. In particular, Techen was instructed by Mr. v. Manteuffel to pay special attention to the

heads of the Kreuzzeitung party, the cabinet councillor Niebuhr and the two v. Gerlach brothers, one of whom was President of the Court of Appeal and the other General, as Mr. v. Manteuffel believed that these men were plotting against his person and his political aspirations at court.

As a result of this order, Techen carefully monitored the aforementioned party leaders and succeeded in approaching the servants of General v. Gerlach and Cabinet Councillor Niebuhr. Techen induced these servants to steal all kinds of correspondence from their masters and put him (Techen) in a position to copy the more important of these letters. In several cases, the servants also made copies of the originals for Techen themselves.

Techen shared the copies and notes obtained in this way, and sometimes the originals themselves, with the Prime Minister. Initially, Mr. von Manteuffel knew nothing about the way in which Techen came into possession of the copies or originals, but later he learned about it from Techen. Among the stolen letters from Mr. Niebuhr and Mr. von Gerlach were also several containing insults against the Director General of Police, Mr. Hinckeldey. The Prime Minister, who was reluctant to take action against the Kreuzzeitung party himself, believed that he could use these vituperative letters to incite Hinckeldey, who was very influential with the King, to do so. As a result, Manteuffel arranged for Techen to bring the abusive letters to Mr. v. Hinckeldey. Techen carried out this mission very skillfully by not letting the Director General of Police know that he had been sent by Manteuffel and seemed to bring the letters on his own initiative, as it were, in order to gain Hinckeldey's trust and to be used by him for lucrative commissions. He succeeded in this and always reported to the Minister President on his business negotiations with Hinckeldey.

At the beginning of July 1855, Mr. v. Manteuffel became very cool towards his useful agent Techen, so that it seemed to him that Manteuffel had reconciled with General v. Gerlach and therefore no longer needed a spy to scout out the relations of Mr. v. Gerlach and Mr. Niebuhr. Techen therefore decided to exploit his knowledge further by trying to establish relations with the French legation.

Among the copies of letters and reports brought to Techen by Gerlach's and Niebuhr's servants were a series of letters addressed to Mr. von Gerlach by the Prussian military plenipotentiary in Petersburg, Count Münster, and several reports from Count Münster to the king himself, which Mr. von

Gerlach, as the king's adjutant general, had in his custody. These letters and reports contained news about the current military situation in Russia, which Techen could assume would be of great interest to the French government. Techen therefore wrote to the Legation Secretary Rothan at the French legation in Berlin, requesting a meeting in Zehlendorf. The sign of his consent was to be an advertisement in the Vossische Zeitung. - On July 24, 1855, the Vossische Zeitung published the advertisement in question, which read: "Yes, on July 24 in the afternoon at 4 o'clock in Z."

At the place of the meeting, Techen did not find the legation secretary Rothan, but an unknown representative of Rothan, the former Prussian police secretary Hassenkrug, who had previously been employed by the Berlin police authorities. Hassenkrug introduced himself to Techen as a French agent and told him a lot about the services he wanted to have rendered to the French legation and about the trust he enjoyed with this legation. However, Techen did not really like Hassenkrug as an agent because he did not seem reliable enough to him, and Techen refused to give Hassenkrug any information about the important messages he wanted to give the French legation. Hassenkrug was therefore induced by Techen to arrange a meeting with Mr. Rothan himself, which took place at the beginning of August 1855 in the Odeon near Berlin, in the Thiergarten. Techen's communications from the reports of the Prussian military plenipotentiary in Petersburg, as well as from a diary kept by General von Gerlach, in which this general wrote down almost daily the penetrating views on the political situation that emerged at the Prussian court, appeared very valuable to the French legation secretary, and Techen was granted gratuities for his communications, such as he had not been accustomed to receiving from Mr. v. Manteuffel. After the first meeting, a series of further meetings took place between Rothan and Techen in remote inns outside the Potsdam gate, and later the personal meetings were replaced by written correspondence, with Techen continually reporting in letters to Rothan on the information obtained through the servants of Mr. v. Gerlach and Mr. Niebuhr. Techen's letters to Rothan had been forwarded by the shopkeepers Hauptner spouses in Berlin, and Mrs. Hauptner had also written several invitations to meetings in the name of Techen to Rothan under the name "Sophie" and sent them by post. The Hauptner spouses also often arranged for money to be sent from Rothan to Techen.

When the King of Prussia went to the Rhine in September 1855, Techen received 1,000 francs from Rothan with instructions to go to the Rhine and, in the French interest, to keep an eye on what was going on there when the

King was present. Techen later pretended to the French legation secretary that he had really been at the Rhine and that he had been staying in Ehrenbreitstein, but that he had not been able to investigate anything there because of the many police officers there. In fact, however, Techen had not travelled to Ehrenbreitstein at all, but to Neustadt a. D. to visit his relatives, where he had spent part of the 1,000 francs in comfortable peace and quiet.

Towards the end of October, Techen met the French legation secretary Rothan on the street, where he made the following surprising announcement to Techen: Dr. juris Heufelder (a former legal secretary) had told him that Hassenkrug was in the pay of the Russian and Prussian governments and was a traitor against France; Hassenkrug had also offered himself to the Russian legation as an agent in order to betray the orders given to him by the French legation. Recently, when Rothan came to the apartment of his agent Hassenkrug to give him instructions and money for a trip to Paris, the Russian legation secretary Lubanoff was sitting in a cupboard and overheard the entire conversation between Rothan and Hassenkrug at his instigation. Heufelder had heard all this in confidence from Hassenkrug's mistress, whose legal adviser he was. Finally, Rothan warned Techen that under these circumstances, Hassenkrug might soon reveal Techen's connections to the servants of the gentlemen von Gerlach and Niebuhr on the one hand and to Rothan on the other to the Prussian government. This fear was soon realized, and Techen continued to be observed by police officers until sufficient material was found to convict him, and on January 29, 1856, he was arrested by Stieber.

Based on the statements made by Techen the following day, the Hauptner spouses and the former legal secretary Heufelder were also arrested by Stieber on January 30 and taken into custody.

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8. The police proceedings against the traitor Techen and comrades.

On the day of the police arrest of the Hauptner spouses and the Secretary of Justice Heufelder, Mr. von Hinckeldey explained to Stieber that, in view of the necessity of keeping the whole affair strictly secret, and in agreement with the Minister of Justice, the prisoners should remain in police custody and that the investigation should be continued by the police. As the

documents left behind by Stieber reveal, the King had also expressed the wish that as few people as possible should be involved in the investigation of the treason of the despatches and that, if at all possible, the investigation should be conducted by Stieber alone. Stieber, however, refused any further cooperation in this unlawful procedure unless Mr. von Hinckeldey declared on record that he would take the responsibility upon himself, and unless the original of the negotiations recorded by the police were submitted to the Minister of Justice for his own inspection and examination. Accordingly, Mr. von Hinckeldey sent a letter to the Minister of Justice on 6 February 1856 with the following content:

> "Your Excellency, in the investigation against the former Lieutenant Techen and his comrades, I have the honour to submit enclosed in two copies the results of the investigations I have recently initiated in this matter, as well as the relevant report of the investigating commissioner (Stieber) whom I have entrusted with the conduct of the case. In view of the great importance of the matter, I have felt compelled to bring the material obtained to Your Excellency's immediate attention, and for the time being I have forwarded to Chief Public Prosecutor Schwarck only a copy of the aforementioned report by Police Commissioner Stieber concerning the four persons arrested. I must leave it to Your Excellency to make a decision, or arrange for such a decision to be made, regarding the continuation or revocation of this detention and regarding the further proceedings to be taken in the matter in general. In view of the extent of the investigations and the importance and peculiarity of the matter, it has not yet been possible to bring the four arrested persons before the Public Prosecutor, and I have taken upon myself the responsibility for this exceptional measure until Your Excellency's decision or further supreme order in the matter has been issued."

Instead of responding - as was the duty of the head of the Prussian administration of justice - by handing the four persons over to the court immediately or dismissing them, the Minister of Justice wrote to Mr. von Hinckeldey on February 12, 1856, i.e. after six days, that the police investigation should be completed according to his instructions and that the files should then be sent to him.

> "In agreement with Mr. Uhden, Minister of State (the Chief President of the Prussian High Tribunal)," Simons wrote verbatim, "I consider it necessary, in order to establish the objective facts of the case

and in particular for the purpose of assessing whether § 71 No. 1 of the Criminal Code (concerning treason) applies to the present case, that those documents which were communicated to the French government by Lt. Techen to the French government and which might have to form the basis of the criminal proceedings to be instituted, be handed over to me. I therefore respectfully request that Your Most Reverend Highness arrange for further action to be taken as soon as possible and inform me of the outcome, returning the negotiations."

The minister did not say a word about the release or presentation of those arrested. They therefore had to sit quietly. Mr. von Hinckeldey presented the Minister of Justice's letter to Director Stieber, who wrote the following to the Minister on February 14 in the name of the Chief of Police:

"Your Excellency, I have the honour to reply to your kind communication of the 12th of this month, concerning the investigation to be initiated against Techen and his comrades for treason, that I do not see myself in a position to establish the objective facts of the case by means of police proceedings any further than has been done so far. As regards in particular the retrieval of the documents which have been communicated to the French government by Techen, this retrieval cannot be accomplished without many difficulties, which are more likely to be overcome by legal proceedings than by police proceedings. I can therefore only obediently request Your Excellency to entrust the Chief Public Prosecutor Schwarck or the examining magistrate with the further measures required in this matter, all the more so as the arrested persons have already urged that they be brought before the judge. I will gladly be prepared to support the relevant judicial authorities with police assistance as far as possible."

As the four defendants had already been in police custody for 15 days, Stieber expected an immediate decision from the Minister of Justice. However, this was not forthcoming. In the meantime, at Stieber's instigation, the Chief of Police had reported the situation to Chief Public Prosecutor Schwarck on February 10, 1856 and sent him a copy of Stieber's report on the grounds for suspicion against the four detainees. But the chief public prosecutor did not develop any trace of activity in the matter either, and the four prisoners remained quietly seated. On February 20, the detainee Heufelder sent a letter from the prison to the Minister of Justice, in which it says verbatim

"I hope to be able to clear myself before my judges of any accusation of a criminal offense. But to be brought before them is my fondest wish and one that is justified by the law."

Stieber immediately sent this letter to the minister, warmly advocating Heufelder's release. The grounds for suspicion against him were doubtful, and Heufelder had a family of seven children to support. Four days later, Mr. v. Hinckeldey sent a note to Stieber from a dinner with the Minister of Justice with the news that the Minister had approved Heufelder's release at Stieber's request. Heufelder was released immediately after being held in police custody for 25 days. The other three detainees, on the other hand, remained in custody.

On March 10, 1856, Mr. von Hinckeldey was shot in a duel, and on March 14, Mr. von Zedlitz took over as Chief of Police. Stieber immediately reported to the new president all the facts concerning the three detainees who had been in police custody for six weeks. At the same time, Mr. von Zedlitz received the following letter from Justice Minister Simons:

"Your Reverence receives the information hearing against Techen and comrades and the application for release of the former secretary Heufelder, with the request to inform me by returning these files whether and when Heufelder has been provisionally released. This release was to be decreed after consultation with the late Director General v. Hinckeldey, but I have not yet received any written notification of this.

Berlin, March 15, 1856.

Simons."

The new Chief of Police was highly indignant about this and after a few days ordered Director Stieber to send a letter to the Minister of Justice in which he was vigorously reproached for the illegality of his proceedings. Accordingly, the police headquarters sent a letter to the Minister of Justice on March 25, 1856, in which it literally states

"As this detention has already lasted eight weeks, it can probably no longer be justified by law, and the police headquarters therefore allows itself the repeated urgent request to either agree to the release of the three arrested persons as quickly as possible, or to order their transfer to judicial custody. As far as the Hauptner spouses in particular are concerned, their guilt appears to be much less than that of Techen, and it is at least

doubtful whether a warrant for their arrest would be issued at all. They have finally made an open confession, and there is no need to fear any further obfuscation of the truth from these two persons. The police headquarters is therefore of the opinion that at least the Hauptner spouses should be set free."

Four days later, on March 29, 1856, the Minister of Justice sent the following reply to the Chief of Police:

"I reply to Your Excellency's kind letter of March 26 in the investigation against Techen and his comrades that I, for my part, have nothing to say against the release of the Hauptner spouses."

The Hauptner spouses were released on the same day. Techen remained in police custody for some time, during which time the Ministry of State deliberated whether Techen, although he had admitted to the treason, should also be released in the political interest of avoiding further discussions of the affair that would endanger the state. Formal law prevailed, however, and the government decided, after the king had given his consent, to initiate criminal proceedings against Techen for treason, whereupon Director Stieber received a warrant for Techen's arrest. Techen was brought before the examining magistrate. No charges were ever brought against Heufelder and the Hauptner spouses. The investigation against Techen for treason was continued by Chief Public Prosecutor Schwarck. Techen was also convicted of treason by the State Court towards the end of 7856.

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9. The unmasking of the pseudo-prince of Armenia.

In the years 1855 and 1856, Director Stieber was involved in two other affairs in addition to the Techen’s dispatch betrayal, the affair of "Prince Leo of Armenia" and that of the Greek Simonides, which caused a general public sensation. These two cases caused Director Stieber great inconvenience in the course of his duties and were often used by his opponents to characterize his handling of the office in the subsequent legal proceedings against him.

The affair with the Prince of Armenia took place in 1855. On July 24 of that year, a stranger, according to his facial features an Oriental, came to

Berlin, posing as Prince Leo of Armenia and socializing unobjectionably in high society, without drawing attention of the police to him at first. He claimed to have been recommended to the King of Prussia by a letter from the Queen of Georgia; he also spread the word that the Emperor of Russia had forcibly seized his lands and treasury worth millions from him; the alleged prince also wore a star on his coat, which he claimed to be the Armenian House Order, which he claimed every Armenian prince received in the cradle. In October of the same year, he attracted the attention of the criminal police by submitting a denunciation to the public prosecutor's office against his landlady, Mrs. Mehlmann, because she had opened a letter addressed to him. The alleged prince described the letter as a dispatch from his aide-de-camp Amur Khan in London. On closer investigation by the criminal police, who were informed of the denunciation, it emerged that the denunciation was unfounded because the woman had evidently opened the letter, which was marked with a difficult-to-read address in English, by mistake. This letter did not contain a dispatch from a wing adjutant, but a reminder letter from the "Hovender *" store in London, in which the "Prince", under the name "Amur Khan", was asked to pay for two pots of hair pomade which he had borrowed in London.

* R. Hovenden & Sons Limited was a London wholesaler and exporter of pharmaceutical and hairdressing products.

From this, Stieber became convinced that the prince was an impostor whose only aim in his denunciation was to be addressed as prince in the notifications he received from the public prosecutor's office or the criminal investigation department in order to obtain official certification for his alleged title of prince. Further investigations revealed that the prince had neither presented a letter of recommendation from the Queen of Georgia to the King of Prussia, nor that a Queen of Georgia existed at all, that his claim that the Emperor of Russia had seized his property and his state treasure from him was completely untrue, and that the alleged Armenian House Star found on the prince was an old Commander's Cross of the Portuguese Order of Christ, which the alleged prince had probably bought in a junk store. Among the papers confiscated from him, a letter was found which was sealed with the coat of arms of a Prussian thaler and, according to the inscription on it in French, was described as a "Dispatch from Prince Petrosbey to His Royal Highness the Prince of Armenia in Italy". The letter contained a few pieces of waste paper and an old expired English passport in the name of Amur Khan, which, as was later discovered, was the name the impostor had used in

London and on which passport the "Prince" had crossed the Prussian border. It was also established that the Prince had written to the editors of the genealogical calendar in Gotha under the fictitious name of "Adjutant Prince Petrosbey" in order to smuggle his princely position into this calendar. He had written to the editors of the Illustrirte Zeitung (Illustrated News) under the name of Prince Siwanesian in order to see himself glorified in this newspaper for five thalers, which he offered as insertion costs.

Further investigations by the criminal investigation department revealed that the fraudster had already been in Berlin a number of years before under the name "Prince Koricoz", that he had incurred debts under this name in Berlin and had been in debtor's prison. The then Chief of Police von Puttkamer had expelled him from Berlin. It also emerged that the alleged prince had already been sentenced to five years in prison in Brussels for fraud. In Paris he had been expelled under the name of Josef Idannes for fraud in 1850 and sentenced to two months in prison for returning to France without permission. However, the origins of the impostor and his real name could not be determined, nor could any criminal offense committed by him during his short stay in Berlin under the guise of a prince be established. He refused to give any information about his birth, his background, his means of subsistence, and when asked by Stieber and his criminal investigators about the reasons for his refusal, he always replied that the local officials had been bribed by the Emperor of Russia and would steal his treasury if he were to prove it. All these moments led to the conviction that the alleged prince was a swindler and crook who was dangerous to public safety and belonged to the class of impostors, and this conviction was shared by Stieber, the chief of police von Hinckeldey and the public prosecutor Nörner from the municipal court, who ordered the confiscation of the letters sent to him by post in order to expose the swindler.

When the police investigations, during which - from October 22 to 24 - the prince was detained in the City bailiff, were completed. However, when the police searches - from October 22 to 24 - during which the Prince was detained in the City bailiff were completed, the public prosecutor Nörner refused to initiate criminal proceedings against the impostor for using false titles, dignities and medals - as noted above, no other criminal offense committed by him during his four-month stay in Berlin could be established - because it would have required extensive evidence in Paris, Brussels and London to provide the legal evidence for this, which would have caused enormous costs to the justice fund. In the end, the result would have been

only a light prison sentence. The public prosecutor therefore left the swindler to the further dispositions of the police headquarters.

On Oct. 24, the third day of the "prince's" arrest, Stieber gave a presentation to General-Police-Director von Hinckeldey on the further proceedings to be observed in the case, since police prisoners were usually only held for two to three days at the most in the City bailiff. Mr. von Hinckeldey himself carried out a thorough search of all of the detainee's papers and decided that more detailed research would first be carried out into his previous life and that he would be temporarily delivered to the workhouse "and strictly ordered to work there. These were Mr. v. Hinckeldey's own words, and Stieber's order, by which the "Prince" was transferred to the workhouse, contained a written repetition of these words in a marginal note.

Mr. v. Hinckeldey shared Stieber's conviction that the alleged prince belonged to the class of very common crooks and was only distinguished by a particular impudence, which, however, was to be countered by a particular severity and ruthlessness on the part of the authorities. In particular, Mr. v. Hinckeldey was bitter against the swindler, because he had, as a pretext for his swindles, incessantly ventured to make the grossest insults against the Emperor of Russia, a monarch so closely related to the Prussian royal family. Hinckeldey expressly declared to his officials that he wanted to disgrace the impostor's role as prince and make him unwelcome in Germany, and instructed Stieber to discuss the exposure of the alleged prince with as much publicity as possible in all the newspapers because of the sensation this "prince" had managed to cause in the press. Hinckeldey recognized this procedure as the only possible way to thoroughly put an end to the impostor's princely trade, which he had been practising for a number of years to the detriment of his fellow men, for all time.

Mr. v. Hinckeldey was guided in these proceedings against the "Prince", especially in his decision to subject him to a thorough police investigation by temporarily transferring him to the workhouse, by special considerations of a very secretive and delicate nature, about which Stieber has made the following allusions in the documents he left behind:

Mr. v. Hinckeldey sensed in the alleged prince not only an impostor, but also a political agent. When examining the papers, the Director General of Police emphasized the sympathies that the alleged prince had shown for

Kossuth and Louis Blanc * in several documents. However, Mr. v. Hinckeldey was particularly interested in two letters from a distinguished French lady, both of which Hinckeldey retained and which were not later returned to the Prince's files. This lady was the Princess or Countess Napoleon-Wyse, an alleged cousin of the Emperor Louis Napoleon, whom he had banished from Paris for a time after she had been used several times, it seemed, as a political agent by Mr. v. Hinckeldey himself or other Prussian officials. For a time, a political agent in Paris named Dr. Rhode, whom the Emperor later imprisoned for a long time and then banished from Paris, acted as an intermediary with this lady. According to his letters, the alleged Prince of Armenia seemed to have had a love affair with this lady (Napoleon-Wyse). Furthermore, letters from the French Minister of Foreign Affairs, Count Walewski, were found with the swindler, which Mr. v. Hinckeldey also took and kept. Finally, Stieber concluded from Hinckeldey's hints that the alleged prince had also had a love affair with a very distinguished lady in Berlin and had already swindled or begged money from very high-ranking persons, from which he had lived during his stay in Berlin until his arrest. Since the high-ranking persons harmed by the fraudster did not want to come forward in any case, the fraud committed against them could not be made the subject of a judicial investigation.

* Lajos Kossuth de Udvard et Kossuthfalva - Hungarian revolutionary leader (1802 – 1894) and Louis Jean Joseph Charles Blanc (1811 –1882) who was a French socialist politician, journalist and historian.

A few days after the "prince" was taken to the workhouse, Mr. von Hinckeldey subjected the prince to a lengthy interrogation in Director Stieber's study. During this interrogation the prisoner behaved very insolently towards Hinckeldey and, when repeatedly asked to prove his identity papers and means of subsistence, replied that he had carefully hidden these things, but would be careful not to give any information about them, because Prussia was on friendly terms with the Emperor of Russia and would therefore steal his treasures and papers from him, just as the Russian Emperor had stolen from him. Hinckeldey was so incensed by this insolence and the other miserable lies and evasions of the prisoner that he summoned the criminal inspector Pick and expressed his disapproval in the presence of the "prince" that he had not been dressed in his house clothes in the workhouse, but that he was allowed to continue wearing his own clothes. (Presumably the workhouse officials had been taken in by the cunning of the impostor, who was also very clever at playing the touching role of the tolerant martyr in the

face of prejudiced persons, to have an effect on them and had not associated him with the other workhouse inmates). Mr. v. Hinckeldey then ordered the criminal commissioner Pick to redress this and to ensure that not the slightest consideration was given to the impudent swindler. Stieber, who had left during the interrogation, sent a corresponding order to the workhouse administration after being informed by the criminal commissioner Pick of the president's order.

In his proceedings against the impostor, the chief of police, as already mentioned, proceeded from the opinion that he was a political agent, whom the French government had sent to Berlin to make propaganda against Russia, and therefore, as he could not keep him in the city prison for more than a few days, he interned him as a homeless vagabond in the workhouse, instead of simply expelling him from the country, in order to bring out of the detainee the truth about his personal circumstances and the purpose of his stay in Berlin in the course of time. Although there was a lack of positive evidence for Mr. v. Hinckeldey's assumption about the political character of the "Prince", in order to understand this vague assumption, one must consider that the appearance of the alleged Prince of Armenia in Berlin took place at a time when the war between Russia and the European Western powers was raging fiercely and the greatest efforts were being made to pull Prussia over to one side or the other. At the same time, Prussia was viewed with great suspicion by both sides, and Berlin, as well as the entire country, was covered with a well-organized system of not only Russian, but primarily also French and English spies. The investigation against Techen described above, which took place at this time, was likely to lead to the suspicion that every conspicuous person without legitimacy was a political agent.

The alleged prince remained in the workhouse for three months, during which time he was treated harshly in accordance with Hinckeldey's orders and Stieber's decree. As he persistently refused to give any true information about his origins and birth during this time and Hinckeldey came to the conclusion day by day that the "Prince" was not a political agent but a common swindler who had only understood how to give himself a political reputation in order to gain access to high circles, Mr. v. Hinckeldey ordered the swindler to be released from the workhouse and transported across the Prussian border at the beginning of 1856.

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10. The disciplinary proceedings against Stieber for the "Prince of Armenia."

In January 1856, Director Stieber reported on the proceedings against the Prince of Armenia to the Minister of the Interior on behalf of President v. Hinckeldey and justified the three-month placement of the Prince in the workhouse by referring to § 6 of the Passport Edict of June 22, 1817 and §§ 43 and 38 of the General Instruction on the Passport Edict of July 12, 1817, according to which a foreign subject without legitimacy and subsistence (at the time of the prince's arrest his assets consisted of 6 thalers) is to be arrested by the police authorities and kept at work until his character has been sufficiently clarified. The Minister returned the files submitted with the report to the Chief of Police by rescript dated February 26, 1856, without seeing himself prompted to make any response to the proceedings that had taken place.

The swindler, who was later given the name Joseph Joannes (under which he was sentenced to prison in Paris) in the official correspondence concerning the proceedings against him, spread public proclamations against the proceedings of the Berlin police headquarters from abroad in the course of 1856 and also complained to the Prussian Minister of the Interior that he had been arrested without legal grounds and imprisoned in the workhouse for three months.

As a result, the Minister ordered an investigation into the police proceedings against the Prince of Armenia, which was conducted by the new President, Mr. von Zedlitz, who had in the meantime replaced Mr. v. Hinckeldey († March 10, 1856), who had been killed in a duel.

The result of this investigation was that both the Chief of Police and the Minister of the Interior did not recognize the proceedings in question against the alleged Prince of Armenia as legal and necessary, both in material and formal terms. From a formal legal point of view, there was nothing more against the alleged prince than that he had tried to prove by false statements that he was in fact a prince of Armenia and that he was therefore strongly suspected of using a false title. However, it was not possible to establish who he really was, nor was it possible to establish any other criminal acts committed by the alleged prince in Prussia (a fraud committed by the swindler as "Prince Koricoz" against the well-known master tailor Kohn a

number of years ago was time-barred and could therefore no longer be prosecuted). The criminal police would have had to limit themselves to this, as the public prosecutor had not considered it opportune to intervene against the adventurer, who had no legitimacy, to deport him across the border. The passport edict of June 22, 1807 was considered to have been repealed by the new legislation, and even assuming the validity of this edict, it was not declared applicable in the present case, since the adventurer had not yet been without subsistence at the time of his arrest, but had been found in possession of six thalers at the time of his arrest and had paid in cash everything necessary for his subsistence up to that point.

The question now was whether a civil servant could be held criminally or disciplinary accountable for the proceedings against the alleged prince. Since in the proceedings against the adventurer all the orders by which he was arrested, then transferred to the workhouse and later released were signed by the director Stieber, as the head of the criminal department of the Berlin police headquarters, the prosecution for the proceedings against the prince was first directed against Stieber.

On February 9, 1857, the Minister of Justice Simons forwarded the files concerning the Prince of Armenia to the Chief Public Prosecutor Schwarck at the Court of Appeal so that he could make a statement as to whether a criminal investigation could be opened against Stieber and possibly also against the Public Prosecutor Nörner (who had assisted the police in their unlawful proceedings by confiscating the letters sent to the prince by post and had tacitly approved of them) on the grounds of unlawful deprivation of liberty under § 317 of the Prussian Criminal Code.

With regard to the public prosecutor Nörner, the senior public prosecutor denied this in his report of March 26, 1857, since according to the overall facts "the passive conduct of the public prosecutor's office towards the police proceedings cannot be interpreted as tacit approval of the latter." On the other hand, Schwarck declared himself prepared to bring charges against Stieber for unlawfully depriving the alleged prince of his liberty. However, Schwarck admitted in his report that "Stieber cannot be held responsible for the duration of the workhouse detention and the treatment of the prisoner during it, because this notoriously took place under the eyes of the deceased chief of police, and only he could order the alleged prince's release after he had been taken to the workhouse." (In the criminal proceedings against Stieber three years later for overstepping his authority, the same chief public

prosecutor Schwarck, as Stieber's accuser, described the pseudo-prince "as an apparently harmless stranger who had attracted the attention of the police by his somewhat adventurous-sounding title" and publicly denounced his internment in the workhouse and his harsh treatment there as a "notorious act of violence by Stieber"!) But Stieber had arbitrarily arrested the prince on October 22, 1855 and held him prisoner in the city jail until October 24, although by law either the prince should have been released or brought before the public prosecutor on October 23.

Finally, Schwarck emphasized that bringing charges against Stieber did not seem opportune in the present case. "The extraordinary sensation caused by the police proceedings against Joannes is due in particular to the long duration and the nature of the detention of a man who had not been found guilty of any criminal offense. However, it is not the defendant who is responsible for this qualification of the police detention, but another person (Mr. v. Hinckeldey), whose official action - if the defendant is threatened with a court conviction - could easily be drawn into the circle of public discussion in a way that could cause offense to some. The eclat of such unpleasant incidents should not be outweighed by the practical success of punishing the accused."

The Chief Public Prosecutor's report is obviously characterized by his bias against the person of Stieber, which can be explained by Schwarck's personal irritation against Stieber, which we will come to later. For although the chief public prosecutor himself admitted that Stieber was not responsible for the internment of the alleged prince in the workhouse, and that according to the records only the detention from October 22 to 24, 1855, was ordered by the prince himself, he nevertheless wanted to compromise Director Stieber by charging him with unlawful deprivation of liberty from October 23 to 24. October, although he was in fact well aware that Stieber had extended Joannes' detention until October 24 on the verbal instructions of his boss, i.e. bona fide, and although a conference of the highest judicial and police officials in Berlin on March 4, 1854, in which Schwarck had also participated, had approved the police headquarters' practice of keeping arrestees in police custody until the second following day.

Stieber also proved in his detailed letters of justification addressed to the Minister of the Interior in March 1857 that both the arrest and the detention and finally the transfer of Joannes to the workhouse had been carried out on the express orders of the Chief of Police.

"According to the constitution of the Royal Police Headquarters, which does not form a college but places the decision of all matters solely in the hands of the chief, I was in no way entitled to remonstrate against the orders of Mr. v. Hinckeldey in question, or to even presume to criticize them. I must also confess, however, that I had no reason to do so, since, according to my knowledge of the circumstances, I was in complete agreement with Mr. v. Hinckeldey's measures against the alleged prince and it never occurred to me to doubt the legality of these measures in any way. On the contrary, if one wanted to find gaps in the investigation of the prince's circumstances, and if one demanded that a completely formal investigation be conducted against him, it is my personal conviction that he should have been kept in custody even longer. I must therefore expressly oppose the view that I now want to shift the blame for illegal measures from myself to a dead man."

Criminal proceedings were not instituted against Stieber and the criminal investigators involved in the arrest of the adventurer, but these officials were reprimanded by the Minister of the Interior for their behaviour. The minister's decree of May 14, 1857 to the police - president von Zedlitz containing this reprimand read verbatim: " ... Only the fact that it is impossible to determine whether and to what extent the officers concerned acted independently and under their own responsibility in their intervention on this occasion and whether any special reasons, not recorded in the files, may have been responsible for the arrest and detention of said Joannes is an obstacle to the initiation of further proceedings against these officials for exceeding their official powers against the alleged Prince of Armenia. Nevertheless, it seems imperative that Your Most Reverend Highnesses issue a stern reprimand to the officials in question for the procedure followed in this matter."

As for the so-called Prince of Armenia himself, the Viennese police are said to have succeeded in tracing his nationality a number of years later. According to this, he was a Montenegrin by birth and had been taken to Paris in his youth, where he acquired a superficial education befitting an oriental prince and came up with the idea of pretending to be a prince of Armenia. After playing the part in Paris, London and Brussels, he went to Berlin and then to Vienna. The Austrian police handed the impostor over to the Montenegrin government. As he had already been guilty of numerous frauds in Montenegro, he was finally disarmed in his home country by being sentenced to twelve years in prison. In the journal "Die Neuzeit" in 1875, Gustav Rasch described his encounter with this adventurer in the

Montenegrin state prison, which Rasch visited on a trip to the Black Mountains. The convict was treated quite well, and he made himself useful as a teacher of modern languages in the prison school.

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11. The Greek Simonides.

A few weeks after the Prince of Armenia had been taken across the Prussian border, the Simonides affair occurred, which was also associated with unpleasantness for Stieber.

On January 30, 1856, late in the evening, General Police Director v. Hinckeldey summoned Director Stieber to his apartment, where Stieber also met Dr. Lepsius, professor at the university and member of the Academy of Sciences. Mr. v. Hinckeldey told the summoned Stieber the following: The Greek scholar Simonides, who was staying in Leipzig, had offered an ancient Greek manuscript of inestimable value to the Berlin Academy of Sciences for sale through Professor Dindorf of Leipzig. The Academy immediately reported this to the King, who agreed to purchase the manuscript for a sum of 5000 thalers granted by the supreme treasury, and a contract was therefore concluded with the Greek Simonides. While the negotiations were still pending, the seller informed him that another scientific institute intended to purchase the manuscript in question, and Professor Lepsius advanced a sum of 2000 thalers from his own funds on top of the purchase price of 5000 thalers already approved by the King, in order to secure the purchase of the manuscript for the King or the Berlin Academy. Lepsius received part of the codex * in return. However, a careful examination revealed that the entire codex was forged and that the seller, Simonides, was undoubtedly a fraud of the worst kind. The sum of 5000 thlr. granted by the king was therefore at stake. It was now a matter of convicting Simonides of the forgery, saving the 2000 Thlr. advanced by Professor Lepsius and enforcing the extradition of Simonides to Prussia.

* From Miriam Webster dictionary: In the 3rd and 4th centuries A.D., the codex began to replace the older scroll as the preferred form for longer writings. Unlike the scroll, this wonderful invention permitted writing on both sides of a sheet, made it easy to locate a particular passage, and could contain a very long piece of writing. Codices (note this unusual plural form) were usually written on

parchment, the specially prepared skin of a sheep or goat, or papyrus, the ancestor of paper.

Stieber took over the execution of this commission and immediately went to Leipzig accompanied by Professor Lepsius. Stieber succeeded in having Simonides arrested by the Leipzig authorities, and the observations made by Stieber during his arrest left no doubt that the codex really had been forged and that Simonides was a professional forger. After Stieber had returned to Berlin from Leipzig and reported the matter to the Berlin City Court, the latter also decided to arrest Simonides, arranged for his extradition and requisitioned the Berlin Police Headquarters to transport Simonides and take over his effects. The transport was carried out on February 18, 1856 by Detective Inspector Pick, and the effects, in particular Simonides' manuscripts, were delivered to Berlin in several large boxes and suitcases.

During his approximately three-week imprisonment in Leipzig, Simonides had expressly consented before a seated court to the payment of the 2000 thalers received in advance, which had still been found in his possession, to Professor Dindorf (who had given him this sum on behalf of Professor Lepsius) on the condition that he would receive back his codex and the copy of it, which he had given to Dindorf (for Lepsius). He was induced to make this declaration, which was intended to avoid any further delay in the payment of the 2000 thlr. to Lepsius, by the following procedure inspired by Director Stieber: Simonides was of the opinion that he should be put on trial in Leipzig for fraud, which offense under Saxon criminal law could only be prosecuted at the request of the aggrieved party. It was now proposed to Simonides that he would refrain from filing a criminal complaint if he voluntarily agreed to pay the confiscated 2000 thalers to Dindorf or Lepsius. Simonides agreed and made the above-mentioned statement in court.

At the same time as Simonides and his effects, the confiscated 2000 Thaler were also handed over by the Leipzig court to the Berlin criminal police (which was authorized to take them over by the Berlin city court), which sum Stieber, in agreement with Mr. von Hinckeldey, paid out to Lepsius immediately after he had seen from the files negotiated in Leipzig and sent to Berlin that Simonides consented to the payment to Dindorf or Lepsius.

When Simonides was brought before Director Stieber on the day of his admission, it turned out that Simonides spoke only modern Greek, and that at first no interpreter of this language could be found in Berlin, so that no one

was able to speak a single syllable with Simonides. Stieber immediately set about finding an interpreter himself, using the means at his disposal, so that Simonides could be brought before the judge at the same time and the former could be questioned. After Stieber had therefore contacted Professors Böckh, Curtius, Privy Legation Councillor Abeking, High School Director Bellermann and other scholars in vain, he finally found a suitable interpreter in the person of Dr. Mullack. Since it was also a matter of researching several other frauds asserted against Simonides, Stieber, together with Professors Böckh and Lepsius, undertook the inspection, organization and specification of the manuscripts seized from Simonides, which consisted of papers and documents in several ancient languages, Syrian, Egyptian, Chaldean and others. The two scholars spent eight days on this work, and finally, on February 26, after Simonides had been in police custody for eight days, he was brought before the examining magistrate together with the interpreter and the ordered effects.

After Simonides had been under arrest for several months, the Berlin City Court declared itself incompetent to try Simonides for a fraud committed abroad (Leipzig) and released him, as the Leipzig court was also unable to try Simonides due to the lack of the criminal complaint required under Saxon law. Simonides was served with all the documents taken from him, together with the false codex and a copy of it. However, some sheets of this copy were missing, having been lost during the investigation in a manner that could not be determined.

When Simonides was at liberty again and he was certain that he could not be punished for his common fraud, he approached the police headquarters and the city court with the request that the confiscated 2000 thalers be returned to him, since he had only agreed to the payment of this sum on the condition that he would receive his codex and the copy of it back unharmed, but that this condition had not been met, since several leaves of the copy were missing.

This request prompted the Berlin City Court, which had not received the 2,000 thalers, to ask the Chief of Police, v. Zedlitz (Mr. v. Hinckeldey had died in the meantime), to demand from Director Stieber an explanation and justification of his proceedings, both with regard to the eight-day police detention and the payment of the sum to Lepsius. Mr. v. Zedlitz complied with this request, and Stieber was now compelled to justify his proceedings

in the affair of the impostor Simonides, as well as in that of the impostor Prince of Armenia.

In response to the accusation that Simonides had been held in police custody for too long, Stieber commented on his justification:

"I can in no way admit that my proceedings violated the law. It is by no means the case here that Simonides was arrested from a state of freedom or detained by the police and had to be brought before the judge, or rather the public prosecutor, within 24 hours so that a court could rule on the justification for his detention, but rather a completely different situation was involved here, which was not even considered in the law of February 12, 1850. Simonides had already been in judicial custody in Leipzig for several weeks and the local city court had already decided on his judicial custody in order to be able to carry out his transportation. If the police are entrusted with a search or a measure against such a person who has already been arrested by a court, there is no law that binds the police to certain time limits. The most that can be demanded is that they should not lose any time. Nemo ultra posse obligatur. * I can at least assure you that in the period from February 18 to 25, which is being held against me here, I worked far beyond my obligation in order to bring about the completion of the unavoidably necessary business in question. Even the law of February 12, 1850 only requires in § 4 that the necessary steps be taken immediately to bring an arrested person before the judge. This arrangement certainly also includes the procurement of an interpreter."

* No one is obligated beyond what he is able to do.

Against the accusation of unauthorized and unjustified payment of the 2000 thalers to Professor Lepsius, Stieber remarked, among other things:

"Mr. v. Hinckeldey agreed with me that the money should be paid in accordance with Simonides' consent, especially since Lepsius is notoriously such a respected and wealthy man that, in the worst case, the money could be recovered from him without risk. I summoned Professor Lepsius and paid him the sum of 2000 thalers in the presence of Privy Legation Councillor Abeking with the express declaration that the payment was made as a result of Simonides' consent declared before the court in Leipzig. In the presidential letter, no consideration is given to Simonides' consent to the payment of the money; on the contrary, this payment is described as a completely unauthorized disposition. The assertion is even made that only

the desire to please the private interests of Lepsius could have prompted the payment of the money, and from this one can very easily infer the suspicion that I was guided by dishonourable and dishonest secondary intentions in making the payment in question. I must herewith firmly uphold my official honour against such a view of the matter. I was prompted to make the payment in question only by the decision taken by my chief, which, moreover, was expressly described to me as being in accordance with His Majesty's wishes. I had no intention of pleasing Mr. Lepsius' private interests. Incidentally, Mr. Lepsius himself did not pursue any private interest when he paid the sum of 2000 thalers. I cannot judge to what extent the above-mentioned suspicion against my official honour has already taken hold, but should this have happened somehow, I consider myself entitled to the urgent demand to interrogate Professor Lepsius under oath about the whole matter. In particular, he would also have to declare that he himself has been summoned to the King's Majesty to give information in person about the proceedings against Simonides, and that His Majesty has expressed His Most High pleasure that he has regained possession of his money."

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12. The peace court activities of the Berlin criminal investigation department. The regulation of officers' debts.

An order issued by Police President von Hinckeldey to the criminal investigation department soon after Stieber took over the management of the criminal investigation department has given rise to many misinterpretations and has in fact led to unlawful interference by the criminal investigation department. According to this decree, in cases of immoral, pecuniary damage, in which the possibility of establishing an offense covered by criminal law was doubtful and therefore the intervention of the criminal court seemed fruitless, the criminal police should attempt to bring about a settlement between the injuring party and the injured party and thus help the injured party to regain his property. This well-intentioned decree, when the peacemaking activities of the criminal commissioners became known to the public at large, had the consequence that numerous creditors, pretending to want to prosecute a criminal offense on the part of the debtor, such as fraud, embezzlement etc. or that debtors, pretending to have been sucked dry by usurers, enlisted the help of the criminal police against their hard-hearted creditors and thus obtained a reduction of the debt or a deferment of payment.

In many such cases, there were no grounds for criminal intervention. The criminal investigator called in this way began his settlement activity by arresting the suspected creditor or debtor and initiating settlement proceedings with him. If the arrested person was persuaded by the unpleasant situation, which damaged his reputation, to agree to a settlement, he was released and the arrest report noted: "Has settled and satisfied the informer"; if, on the other hand, the arrested person remained in custody and did not agree to anything, he was also released and the arrest report noted: "The suspicion has not been confirmed." It is obvious that such settlements, brought about by the coercive means of the criminal police, were generally not equitable, and the rumour that the criminal officers received considerable gifts from the favoured creditors or debtors for their judicial activity was generally believed.

This activity, which was alien to the actual profession of the criminal police, was even encouraged by King Frederick William IV - albeit in good faith - who entrusted the criminal police with the settlement of debts of

officers who had fallen into the hands of usurers and had issued certificates of honour without being able to redeem them. As a rule, these cases actually involved a punishable offense - usury - which, however, was not to be prosecuted by the criminal police but, on the contrary, was to be used to persuade the usurers to renounce their usurious advantages and then to cover up the matter in order to keep the officer in the army, who would have lost his position as soon as this fact became known if he had not kept his word of honour.

However, this royal order was prompted by an emergency situation. In 1851, probably half of the young officers were in the hands of the most vile usurers and crooks by means of such certificates of honour. People from the lowest class of the people had become rich in a short time through such business; there were formal forms for the certificates of honour and a whole corps of commission agents who sought out the young, inexperienced officers and forced the money on them. Not 100, but 1000 percent was taken, and in many cases the officers did not receive a penny of currency on the honourary certificates they had carelessly given and had to pay the third holder. As a result, suicides and desertions occurred repeatedly. Criminal action against the usurers, which would probably have helped, was questionable because it would usually have caused a public outcry and the dismissal of the officers involved, and because unfortunately many capable and good officers had gotten into such entanglements.

It was therefore decided by the king that a law should be prepared to prevent the acceptance of officers' honourary certificates, and that for the time being the assistance of the criminal police should be enlisted to settle the debts in question and to keep the usurers to some extent in check.

One day in 1851, Stieber received a letter from the King's wing adjutant, Colonel von Schöler, in which Stieber was asked to come to a conference at the War Ministry. Stieber went there at the appointed time, where he was informed of the relevant orders from the King. At the same time, the necessary funds from the King's coffers were made available to him to settle the debt, insofar as the indebted officers or their relatives were unable to repay the loans they had received from the usurers. Stieber declared himself in agreement with this commission, and the Chief of Police von Hinckeldey issued a general instruction to the officers of the criminal police, in which they were authorized to settle the debts of young officers by amicable means.

As a rule, the settlements were carried out using the coercive means of confiscating the bill of exchange or the honorary certificate of indebted officers, if possible, by the police. According to the king's decision, the money received by the officer was given to the usurer together with six percent interest, whereas the usurer had to renounce his usurious advantages. If such a settlement was reached, the usurer was not prosecuted; if, on the other hand, the usurer did not agree to a settlement, he received nothing in accordance with the relevant provisions of the General Land Law and was prosecuted for usury, but the officer usually had to resign. Stieber was entrusted with this regulatory business until the year 1857, when the law of March 7 put an end to the evil state of affairs at a stroke; for in this law severe penalties were imposed on anyone who had certificates of honour issued to make void debts of minor inexperienced people binding. Police Director Stieber was involved in the drafting of this law.

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13. Mr. von Hinckeldey and Stieber.

Stieber's relationship with his immediate superior, General Police Director v. Hinckeldey, was not a pleasant one during Stieber's first years of service as head of the criminal investigation department, and this is probably explainable, since Stieber had been formally imposed on the police president as chief of the criminal investigation department by the king and Minister v. Manteuffel. In Hinckeldey's opinion, Stieber's past as an occasional police agent and as a defender did not correspond to the dignity of a chief of the Berlin criminal investigation department, and Hinckeldey was initially inclined to believe every rumour, no matter how unbelievable, about immoral acts committed by Stieber in the past, in order to induce Stieber to defend himself more often against slanderous allegations by unprincipled persons about his past life.

Stieber finally got fed up with this constant nagging. When he once again defended himself in a lengthy memorandum against the scurrilous accusations of a former trainee lawyer, a degenerate man devoted to gluttony, who had been used by Mr. v. Hinckeldey as a police agent, particular against the accusation of anti-royal, revolutionary endeavours during the years 1848 and 1849, Stieber demanded full satisfaction from the authorities at the end of his defence letter addressed to the president, otherwise he would appeal to

the intervention of the king or the decision of the courts. Since then, Stieber seems to have been left in peace in this respect.

Stieber's great successes in the field of criminal investigation - Berlin enjoyed an unprecedented level of security under Stieber's criminal investigation activities - and the King's continuing and steadily increasing benevolence, which manifested itself in frequent direct contact between the King and Stieber, contributed over time to making the relationship between Hinckeldey and Stieber a better one; it never developed into a more intimate and truly friendly one. Hinckeldey was naturally not particularly pleased about Stieber's personal approach to the monarch, but he was unable to intervene and consequently put a good face on the bad game. He showed himself to be a friendly, accommodating boss to Police Director Stieber in all cases in which non-accommodation would have been ineffective, but he refrained from applying to the superior ministry for awards for his criminal director at appropriate moments. As a result, Stieber did not receive a Prussian medal until 1854, despite his successful work in the criminal service.

In the fall of the same year, when Stieber gave a lecture to the king on criminal matters, the king, probably having noticed that Stieber's uniform did not bear a Prussian medal, made the following remark:

"Tell me, Stieber, you don't have a medal yet, how come?" -

"No, Your Majesty," replied Stieber, "I have not yet received such an award, which I so eagerly desired; probably my boss, Director General v. Hinckeldey, has not yet seen fit to apply for such an award for me."

In response to the king's further question as to whether Stieber had not recently carried out something that would give rise to the award of an order, Stieber replied that he knew about the communist conspiracies, which he had identified in 1851 and 1852 together with the Hanoverian Director General of Police, Dr. Wermuth, and on official capacity together with Dr. Wermuth had written a book ("The Communist Conspiracies of the 19th Century", Berlin 1853 and 1854), the second volume of which had recently appeared in the book trade, and that he wished to present this second volume to His Majesty. (When Stieber had presented the first volume of this work to the King the previous year, the King sent him a golden snuff box as a token of his appreciation.

The King gave his approval, and Stieber had a copy of the work magnificently bound, which he then presented to the Chief of Police v. Hinckeldey, strictly observing the course of events, with the request that the copy be handed over to His Majesty and that he be inclined to request that the author Stieber be awarded a medal. Mr. v. Hinckeldey promised this and took the copy. Almost two months passed without Stieber receiving any comment from the King, and towards the end of 1854, when Stieber again gave a lecture to the King, the King asked him why he had not yet handed over the promised book. Stieber replied that he had already given a copy to the Chief of Police several weeks ago for presentation to His Majesty.

"Well," the king replied, "send me a copy of your work straight away, unbound, just as it comes from the printer."

Obeying the royal order, Stieber immediately sent an unbound copy to the king in Potsdam, and after only a few days Stieber received the good news through a cabinet courier that he had been awarded the Order of the Red Eagle. After receiving this happy news, Stieber went to Mr. v. Hinckeldey, who had not yet been informed, and informed him that the King had awarded him (Stieber) the Order of the Red Eagle, and expressed his thanks for the fact that the President had procured this distinction for him by presenting the book to the King. Mr. v. Hinckeldey, quite embarrassed by the unjust thanks he had received, was forced to decline it and had to apologize for his forgetfulness, as he had not presented the book to the King.

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14. King Frederick William IV and Stieber. The political agent Hassenkrug.

Stieber had an outstanding position of trust with King Frederick William IV like no other criminal police officer, which actually gave him an influence far beyond his official position. As long as Mr. Hinckeldey lived, who was very close to the King and enjoyed his complete trust, Stieber's direct relations with the King were essentially limited to the fact that he was often summoned to the King to give explanations on important criminal cases or to carry out orders from the King which required particularly discreet treatment. In January 1854, for example, Stieber took

over the administration of Kroll's establishment in Berlin at the king's request.

As is well known, this establishment was built by the late Kroll on fiscal land at Thiergarten, without the land being transferred to the owner of the establishment and its buildings. After Kroll's death, his daughter married the music director Engel, who had come to Berlin from Austria. It was only now that Engel took over the management of the establishment that he learned that the establishment was heavily in debt and that the numerous creditors had already taken steps to bring it into receivership. When the king was informed of this, he inhibited the continuation of the subhastation * proceedings by declaring that under such circumstances the further use of the fiscal land for the establishment established thereon would be denied to any purchaser of the same in subhastation. The creditors were therefore forced to make an out-of-court arrangement with the Engel couple to the effect that the establishment would continue to be run for the account of the creditors and that the King would be asked to entrust the management of the establishment to a person of trust. The king agreed to this project and appointed the police director Stieber as administrator of the Kroll establishment. Stieber managed this establishment from January 1854 to April 1855 and during this time regulated its financial circumstances to such an extent that in April 1855 Engel and his wife were able to take over the management of the establishment again themselves with the consent of the creditors.

* Subhastation - a public auction or sale.

After Hinckeldey's death, Stieber partly took over the position of trust with the king, which Hinckeldey had previously held, and he advanced to become the king's real advisor in state police matters, among which Techen's treachery took a prominent place at the time.

In a later report to the Minister of the Interior, Count von Schwerin, dated March 17, 1860, Stieber made the following remarkable statements about his relations with King Friedrich Wilhelm IV: "There have been events which have often brought the head of the state into the most direct personal relationship with the officers of the criminal police, but especially with my person. These include, first of all, the two assassination attempts on the person of His Majesty, which inevitably led to a certain preference on the part of His Majesty for the protective, omnipotent hand of the criminal police. Furthermore, circumstances arose which gave His Majesty distrust of

the highest officials of the state and most of all caused them to immediately seek the help of the criminal police. I will only mention the following matters of this kind:

1) In the matter of the Potsdam dispatch theft, I had to conduct numerous investigations on personal orders from His Majesty, even against the then Minister-President and other high officials.

2) I found myself in the same position when researching the intrigues against Privy Councillor Sägert, who was described to me by His Majesty himself as his most intimate personal friend.

3) My situation was even more difficult when investigating the diplomatic intrigues that were placed in the way of Adjutant General v. Wedell and Privy Councillor Usedom by official authorities, when both gentlemen had received a direct personal mission from His Majesty the King to the Emperor of the French."

Among the matters that caused Stieber to maintain strictly confidential relations with the king for months was the Hassenkrug affair, which later became known only to a few.

While the judicial investigation into the Techen treason case against Lieutenant Techen was pending, other accomplices of his were identified who had learned the contents of the important, secret dispatches and who could significantly harm the Prussian government by publishing them. Involving these persons in the judicial investigation entailed the danger that the contents of the dispatches would spread to other circles, especially as it could not be assumed that these persons would show any consideration. It therefore seemed advisable to both the King and the Prime Minister v. Manteuffel to buy the silence of these persons by letting them go free and not opening an investigation against them for the time being. Among these persons, the former police secretary Hassenkrug from Minden, who seems to have been in the relationship of a secret agent to the Prussian authorities about a year before Techen's betrayal, played an outstanding role.

At the beginning of 1855, Hassenkrug used his knowledge of some secret facts, knowledge of which could be of value to the French government, which was currently at war with Russia, to establish relations with the French legation, and through his engaging, skillful manner he was able to approach the French legation secretary Rothan and be commissioned by him for

confidential missions. Hassenkrug was in this position of trust with the French legation when Techen approached him. Techen soon eclipsed Hassenkrug with his continued important communications to Rothan, and the ample gratuities that had previously flowed to Hassenkrug now passed from Techen, while Hassenkrug's income became more meagre. Hassenkrug therefore went to the Russian legation in Berlin, informed it that he was a secret agent of the French legation, and offered to divulge to the Russian legation all the orders he had received from this legation. The Russian legation complied, and Hassenkrug was now a secret agent of the two belligerent powers, France and Russia. In this double position he acted more honestly against Russia than against France, since the Russians did not confide anything to him, but confined themselves to receiving his communications from the French legation. In the same way as the Russian legation, Hassenkrug offered his services to the Prussian governorate, which also seems to have accepted them. One of Hassenkrug's first services to the Russian and Prussian governments was his betrayal of Techen, whose relations with the French legation he revealed. As Mr. v. Manteuffel knew from his earlier relations with Techen his connection with the servants of General v. Gerlach and Cabinet Councillor Niebuhr, this greatly facilitated Techen's conviction.

However, Hassenkrug had done himself a great deal of harm by revealing Techen's treachery. The French legation secretary Rothan, who, as already mentioned above, had learned of Hassenkrug's treachery, did not let Hassenkrug know about it in order to take revenge on him later, but he became very cautious towards the spy, so that he no longer had anything of value to report to the Russian legation about French affairs. His relations with this legation loosened and finally brought him nothing more. He now tried to cause trouble for the Prussian government by pretending to know the dispatches stolen by Techen and to know many more secret diplomatic matters, the disclosure of which to outsiders could be detrimental to the Prussian government. He approached people close to the king and claimed pecuniary support for his silence.

The king, to whom the Techen affair had caused much consternation, wished that no sensational steps be taken against Hassenkrug. He therefore instructed Director Stieber to investigate Hassenkrug in the most careful manner and to make him understand that he would be arrested for treason as soon as he divulged any of the contents of the secret dispatches that had become accessible to him. Not only Stieber, but also the Minister-President

had several conversations with Hassenkrug for this purpose, in which the latter was very careful and said nothing that could be detrimental to him or his backers, who probably held influential positions in civic life.

In the meantime, Hassenkrug had approached the French legation secretary Rothan again, as he still had no idea that Rothan was aware of his betrayal against France and against Techen. Rothan received him in an apparently friendly manner and appointed him to travel to Paris to carry out a secret private commission. Hassenkrug travelled to Paris towards the end of 1856, where he was arrested at the train station by the Paris police, who had already been notified, and taken to prison. Only then did he learn during his interrogation that he was accused of treason against France. Nothing further is known about his fate, except that he was released after fourteen months of imprisonment in Paris. In April 1857, he gave a sign of life from the Paris prison by sending a letter to his girlfriend in Berlin, which was intercepted by the Berlin police. In this letter he stated: "she may tell Bernhard (?) that he (Hassenkrug) has not said anything that could be detrimental to one or the other."

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15. The death of Hincheldey. - Uörner and Schwarck.

As a result of his energetic police intervention against an aristocratic gambling club and a number of Junkers involved in it, Mr. von Rochow=Plessow challenged General-Police Director v. Hinckeldey to a pistol duel in March 1856, and Hinckeldey accepted the duel, which took place on March 10, 1856, although the challenge related to official acts and could therefore have been rejected without further ado according to the laws of professional honour. Hinckeldey was shot in this duel. Immediately before Hinckeldey went to the duel, he sent a letter to the King in which he asked for his forgiveness for having accepted the challenge without first obtaining the highest authorization.

After the duel had taken place, this letter came into the possession of the King, who resided at Charlottenburg, and soon afterwards Mr. v. Münchhausen, Mr. Hinckeldey's second, presented himself to the King, who conveyed the shocking news of Hinckeldey's death and at the same time, on behalf of the deceased, gave the King the key to a casket in Hinckeldey's

study, which contained the King's personal letters to Hinckeldey. On behalf of the King, Stieber arranged for the casket to be sent to the King by the bereaved on the same day. In addition to the king's letters, the casket contained a number of documents relating to the betrayal of the despatches, as well as some letters from Hinckeldey about annoyances he had suffered in the service and family matters.

The king initially wanted to attend the funeral service at the coffin of the deceased in the police headquarters building, which was scheduled for the morning of March 13, but as a result of the concern expressed by his advisors that the crowd at the Molkenmarkt * would be very large and that the king's life could be endangered as a result, the king abandoned this idea and instead announced his intention to travel to the churchyard and pay his last respects to the deceased there. On behalf of the King, the King's Privy Chamberlain, Mr. Schöning, informed Director Stieber of this on the day before the funeral service, as the King wanted to know Stieber's opinion before carrying out this plan. Stieber replied that the King could come to the house of mourning without hesitation; he would ensure that no excesses directed against His Majesty would occur on the journey from the palace to the Molkenmarkt.

* Molkenmarkt (literally: "whey market") is the oldest square in Berlin. It is located in the Alt-Berlin quarter of the Mitte district, in the historic centre of the city.

The following morning, at around 9 o'clock, the King drove in a two-horse carriage through the middle of the large crowd that spread from the palace to Molkenmarkt to the house of mourning, without the slightest disturbance of the peace. After the funeral service, the King arrived at Charlottenburg Palace in a very subdued mood and withdrew from his surroundings for the entire day, dedicating this day to the memory of his deceased loyal advisor.

"His Majesty is," wrote the Privy Chamberlain Schöning to Stieber the following day, "as one cannot fail to notice - deeply, deeply afflicted, although otherwise not unwell. Yesterday evening the gentleman went to bed at 11 o'clock, which is an earlier time than ever before, provided he is awake and not ill. But he was also too exhausted. This morning His Majesty said to me: "Yesterday, seeing the family was heartbreaking."

Although Stieber's relations with Hinckeldey had been rather cool until Hinckeldey's death, Stieber took care of the interests of Hinckeldey's survivors with great warmness. In the first days after Hinckeldey's death, the King asked the Ministry of State to make suggestions as to what measures should be taken for the welfare of the widow and children. This matter remained in the State Ministry until the end of March 1856 without anything happening. Stieber reported on this delay in a letter to the King and, through the King's renewed intervention, arranged for this matter to be settled quickly and favourably for the surviving dependants.

Stieber's close relationship with King Friedrich Wilhelm IV was often used by friends and acquaintances of Stieber to achieve many things with the king through him that they would never have achieved through the prescribed channels of the authorities. For example, the examining magistrate Nörner, who had been employed by the Berlin Criminal Court, ran a household that was magnificent for the time and had been on friendly terms with Stieber since 1843, owed it to Stieber's influence that he was appointed First Public Prosecutor at the Berlin City Court in 1854. Although the Chief Public Prosecutor Schwarck and the Minister of Justice Simons resisted the appointment of Nörner, who had little ability and a weak character, to the important post of First Public Prosecutor in Berlin, these two gentlemen had to submit to the royal will. "The appointment of Mr. Nörner to his office, directly enforced by His Majesty," wrote Stieber in a report to the Minister of the Interior, Count Schwerin, in 1860, "almost became a cabinet matter for the Minister of Justice. The disgrace of the Minister of Justice found its expression in a series of persecutions to which Mr. Nörner was subjected by the Chief Public Prosecutor Schwarck, until last year (1859) the highest authority intervened."

However, Stieber had a personal interest in the appointment of his devoted friend Nörner as First Public Prosecutor, as he could make good use of a compliant person as head of the public prosecutor's office in his ongoing dealings with the public prosecutor's office as conductor of the criminal investigation department. The Chief Public Prosecutor Schwarck was never able to forget his prank of imposing Nörner as First Public Prosecutor at the City Court against his will, and Schwarck's personal enmity towards Stieber dates from this time, which later caused him to bring about the judicial prosecutions against Stieber with a great zeal that had become pernicious to himself, attacking Stieber in the most hateful manner in his speeches and actions.

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16. Prince Carl and Stieber. - The Wedecke affair.

In 1855, as a result of a scandalous affair, Stieber also entered into a relationship with the King's brother, Prince Karl, which over the years developed into a position of trust between Stieber and the Prince. A depraved man, who had distanced himself from his wife and children and left them without any means of support, repeatedly tried to extort money and other gifts from Prince Carl, threatening the prince with the publication of allegedly compromising facts. The man added crude insults to these continued threats, so that the criminal police finally had to intervene and arrest him. Even after his arrest, the arrested man maintained his suspicions against the prince, and it was feared that he would take every opportunity during the judicial investigation and the public hearings to publicly repeat his filthy accusations against the prince. Stieber therefore made the most careful inquiries to ascertain facts which proved the complete groundlessness of the subject's suspicions.

In the course of these investigations, Stieber discovered that the arrested man, who had in the meantime been the subject of a judicial investigation for attempting to blackmail and insulting a member of the royal household, had also been guilty of the crime of carnal abuse of a young orphan whose guardianship had been entrusted to him. The judicial investigation was therefore extended to this crime as well, and the main hearing, which was subsequently scheduled, was held in camera in view of the fact that the defendant had been guilty of the offense of violation. The accused was sentenced to many years in prison.

In a second affair, which took place in 1858, Stieber also served Prince Carl well through his prudent actions. The Privy Court Councillor Wedecke lived in Berlin. A childhood playmate of Prince Carl, he had enjoyed the prince's trust for years and had finally betrayed this trust through disgraceful ingratitude. In possession of the Prince's documents (of a private nature), Wedecke believed himself to be completely safe from any intervention by the criminal investigation department. However, he overestimated the importance of these documents. Stieber, together with the public prosecutor Nörner, took action against Wedecke, who, informed of this in good time, fled to Switzerland.

Stieber then went to Freiburg im Breisgau *, accompanied by Nörner, and from there entered into written correspondence with Wedecke, in which he held out the prospect of a peaceful settlement of the affair and invited Wedecke to come to Freiburg and discuss it with him verbally. Wedecke, in the opinion that no action could be taken against him on Baden soil, was tempted to come to Freiburg, where he was immediately arrested by Stieber. However, he did not have the papers with which he had threatened Prince Carl. He had left these documents with his traveling companion, his mistress, at the Swiss border. When Wedecke did not return to Switzerland the following day, the traveling companion, fearing that Wedecke would abandon her and leave her, also came to Freiburg with the documents, where she learned of Wedecke's arrest. When she approached Stieber with the request to let her see Wedecke, she was persuaded to hand over the documents.

* Freiburg im Breisgau - lit. "fortified town of free citizens" in the Breisgau; mostly called simply Freiburg. The Breisgau is an area in southwest Germany extending along the Rhine River and enveloping portions of the Black Forest.

Soon after Wedecke's arrest and the reasons for it were reported in Swiss newspapers, according to which Wedecke had possessed papers that would have compromised Prince Carl and for the surrender of which he had been offered considerable sums of money. The public prosecutor at the Berlin City Court, Mr. Nörner, however, wrote a corrective note which contained the following sentences: "The notices of the Swiss newspapers that p. Wedecke, who has assumed the title "Baron Hermsdorf", was offered the sum of 30000 Frcs. and later 60000 Frcs. or any sum of money at all for the publication of papers which are supposed to compromise a high-ranking person, is a falsehood plucked out of thin air. According to my official conviction, Wedecke is not in possession of such papers at all; the allegation of this kind, which he has, however, spread, is merely invented by him in order to exploit them for fraud and blackmail. There are no justifiable claims by Wedecke against any person belonging to the Prussian royal family. If he were not aware of this himself, he would in any case pursue his claims before the competent Prussian court."

The facts of the case could not be established in court, as Wedecke died the following year while in custody.

III. The persecutions against Stieber. 1860 and 1861.

The new era *. - The preparations of Chief Public Prosecutor Schwarck for the indictment against Stieber.

* The New Era (German: Neue Ära) was the term for the government policy in the Kingdom of Prussia between autumn 1858 and spring 1862. It followed the Era of Reaction under Frederick William IV.

We now come to one of the most remarkable episodes in the history of the Prussian civil service, to the persecution of Police Director Stieber, which he had to suffer at the hands of Chief Public Prosecutor Schwarck at the Court of Appeal in 1859 and 1860, and which finally ended with the removal not only of the persecutor and the persecuted, but also of the long-standing Minister of Justice Simons from their offices.

Frederick William IV fell ill with a brain ailment in 1857 and on October 23, 1857, as he himself was childless, he entrusted the supreme direction of state affairs to his younger brother William, initially for three months, which was extended to a further three months in January 1858 and to six months in April, as the King's condition did not improve. The Prince changed nothing in the course of the government, as he was merely a temporary deputy. However, when it could no longer be doubted that the King's mental disorder was incurable, the Cabinet decree of October 7, 1858, entrusted the Prince as Regent with the management of the affairs of state with complete independence for the duration of the King's illness. After the new regent had taken the oath of allegiance to the constitution before the Diet on October 26, 1858, he set about completely restructuring the previous system of government. The Manteuffel-Westphalen ministry, which had been in office for eight years, was replaced by a new ministry on November 6, 1858. Prince Karl Anton von Hohenzollern - Sigmaringen became Prime Minister. The portfolio of foreign affairs was given to Mr. v. Schleinitz, that of the interior to Mr. v. Flottwell, who was soon replaced by Count Schwerin - Putzar. Only the Minister of Justice Simons and the Minister of Commerce v. d. Heydt were left in their posts. Public opinion had the most favourable expectations of the new ministry; its appointment was seen as the

end of the reactionary mismanagement of the previous eight years and the beginning of a "new era", an era of strict constitutional rule and the expansion of the liberal laws that had been enforced in 1848 and 1849. These hopes were justified by the past of the new ministers Auerswald, Bethmann - Hollweg and Schwerin, who had previously worked together with the old liberals or Gothaers * under the leadership of Vincke, and by the Prince Regent's address to the new ministry on 8 November, in which he emphasized that "a careful and ameliorating hand will be applied wherever arbitrary or contrary to the needs of the time are found."

* The German National Union (Deutscher Nationalverein), organized in the autumn of 1859, favoured the exclusion of Austria and the establishment of a federation under the hegemony of Prussia; it represented the views of the so-called "Gothaer," the political heirs of the rump of the Frankfort parliament which had reassembled at Gotha in June 1849.

Quite a few civil servants who had previously willingly served Manteuffel's system now believed that they had to secure their position under the new ministry not only by giving in to the legal channels prescribed for their official activities, but also by persecuting their own former colleagues who, like them, had submitted to Manteuffel's system beyond the legal limits. One of the first of these officials was the Chief Public Prosecutor Schwarck at the Court of Appeal, who now considered the time had come when he could give free rein to his deep-rooted hatred of Stieber and his compliant tool, the First Public Prosecutor at the Berlin City Court, Nörner. He brought to light the unlawful actions of the Berlin criminal police under Stieber's leadership through the public accusations of malfeasance that he brought against Stieber, seemingly inspired by a zeal to put an end to unlawful mismanagement at police headquarters; however, through his personal hatred of Stieber, Schwarck allowed himself to be led into excesses during the criminal proceedings that he instigated, which made him the victim of his own actions against Stieber.

Schwarck was appointed to his office as Chief Public Prosecutor at the Court of Appeal in Berlin in 1853 at the instigation of Police President v. Hinckeldey. His ruthless persecution of President v. Kirchmann and the five well-known members of the Court of Appeal in Ratibor * in 1850 in the interests of the political reaction of the time had attracted the attention of Mr. v. Hinckeldey. The latter believed that he had found in him a willing tool for his political and police mission, and the new chief public prosecutor fully

lived up to the trust that Mr. v. Hinckeldey had placed in him until the end of his life.

* Now Raciborz in Poland.

During the long period of reaction, Schwarck had apparently joined it without resistance, and as long as the Manteuffel regime existed, he was always ready to serve it wherever necessary. In the proceedings against Lieutenant Techen and his accomplices on account of the Potsdam despatch treason, in which Techen and his comrades were in police custody for four to eight weeks, this was done with the full knowledge of the Chief Public Prosecutor, without him having done the slightest thing to avoid or shorten their imprisonment.

Schwarck had, as had also been communicated earlier, expressly agreed with the unlawful practice of the police to bring those arrested directly before the examining magistrate, bypassing the public prosecutor. Indeed, he had gone even further, he had officially instructed the First Public Prosecutor at the City Court, Mr. Nörner, that he was to subordinate himself to the opinion of the police in all procedural matters, namely in the confiscation of newspapers, and in cases in which the City Court was of a different opinion than the police, he was to implement the opinion of the latter by way of appeal to the Court of Appeal.

Schwarck would hardly ever have taken action against Stieber in the excessively aggressive manner that led to his own ruin if he had not nurtured a personal hatred against Stieber for years, which was mainly based on the fact that his confidential relations with the king gave Police Director Stieber an influence that was not based on Stieber's official position and obscured the importance of the senior public prosecutor in matters in which the interests of the public prosecutor came into consideration.

These personal motives prompted the chief public prosecutor Schwarck in 1859 to take the preparatory steps for a criminal prosecution of Stieber, namely for deliberate, unlawful deprivation of liberty of police prisoners and for deliberate unlawful coercion of accused persons into settlements with those allegedly harmed by them. These two offenses were rumoured to have been committed by Stieber and his criminal investigators in numerous cases, and Schwarck decided to conduct the necessary research on his own to determine specific cases in which Stieber had in fact committed these offenses.

When Schwarck informed the Minister of Justice, Simons, who had been transferred from the former Manteuffel ministry to the new liberal ministry, of his plan, Simons agreed to carry it out, since on the one hand he saw strict action against police arbitrariness as a means of strengthening his position as minister and on the other hand he gave Stieber, who was so influential under the now terminally ill King Frederick William IV, a serious lesson.

In order to obtain the necessary material for his investigation against Stieber, Schwarck had a communiqué published in the newspapers stating that the Chief Public Prosecutor's Office had initiated an investigation against Police Director Dr. Stieber for misconduct in office and had taken the preliminary investigation into its own hands. This public announcement was accompanied by a request to all persons who were in a position to report facts of importance to the investigation to report them personally to the Chief Public Prosecutor. As a result of the public appeal, numerous people, including individuals who had been punished several times for common crimes, came forward to the Chief Public Prosecutor with reports of rapes committed by Stieber and his detectives.

The procedure described by the senior public prosecutor in his investigations against Stieber caused a great stir and was noted with great displeasure in higher places. The Minister of the Interior therefore complained to the Minister of Justice about the proceedings of the Chief Public Prosecutor, but the Minister of Justice rejected this complaint, "since the Chief Public Prosecutor had only done what he was entitled to do under the law and what he was obliged to do."

But almost all of these denunciations by the group of informers did not provide a suitable basis for prosecution. The Chief Public Prosecutor's wish to bring to light official offenses committed by Stieber during his last years in office could not be fulfilled, because all of the denunciations related to the time of Stieber's activity under the presidency of Mr. v. Hinckeldey, who died in March 1856. Thus, since Hinckeldey's death, Stieber seemed to have tacitly followed the course of the law in his management of the criminal investigation department. This was indeed the case, as the subsequent criminal proceedings against Stieber clearly showed. The persons arrested by the police were brought before the judge in good time and the criminal investigators' ability to settle cases was considerably restricted.

Schwarck therefore had to fall back on the time of Hinckeldey's regime, from which he was provided with extensive material from numerous denunciators. According to these denunciations, Stieber and his criminal investigators had unlawfully arrested people and kept them in custody in order to force them to satisfy unjustified claims of their opponents and then to share the sums thus extorted with the opponents. In order to check the veracity of these denunciations, which were presented without evidence, Schwarck engaged several agents to find witnesses to the accusations made in the denunciations. Hundreds of witnesses were questioned, and in the end only three, in themselves insignificant denunciations remained, which the chief public prosecutor believed he could use to bring charges. These cases involved

1) an intentional unlawful deprivation of liberty and unlawful coercion of the master tailor Wisocky to pay a substantial sum of money to the court supplier Hermann Gerson on the part of the director Stieber and the criminal commissioner Tichy in September 1854;

2) an intentional and unlawful deprivation of liberty and coercion of the rentier Goldberg to pay a substantial sum to the banker Schragow by the director Stieber in October 1855 and

3) a deprivation of liberty and coercion of the civil servant Wagner and the merchant Asch to hand over a sum of money to the theatre director Wallner in September 1855.

The Wisocky-Gerson affair appeared to be the most serious for Stieber and his commissioner Tichy. The master tailor Wisocky had been arrested by the criminal police in September 1854 on suspicion of embezzling coats from Gerson, a purveyor to the court, and after he had settled with Gerson the following day by paying him a substantial sum in compensation, he was released on the second day of his detention. However, Gerson had not been content with the compensation paid by Wisocky, but had also taken the coats confiscated from Wisocky. As a result, Wisocky sued Gerson for the return of the coats and won a judgment in 1858. During these lengthy civil proceedings, the embezzlement by the plaintiff Wisocky against the defendant Gerson inevitably came up, and the civil judge referred this matter to the public prosecutor for intervention against Wisocky. The public prosecutor complied with this suggestion by bringing charges against Wisocky for the embezzlement he had committed four years earlier. The City

Court acquitted Wisocky, but in September 1859 the Court of Appeal sentenced him to four months in prison and disbarment for this embezzlement.

Embittered at having been convicted of embezzlement after all, even though he had agreed to an unfavorable settlement with Gerson in September 1854 in order to cover up his crime, Wisocky filed a denunciation against the police officers for abuse of authority with Chief Public Prosecutor Schwarck, since they had allegedly coerced him into the settlement with Gerson by arresting him. Unfortunately, however, the accusation made in the denunciation against Stieber and his officers was based exclusively on the testimony of the master tailor Wisocky. Only a few months before, Wisocky had been punished by the Court of Appeal with imprisonment and disbarment for embezzlement, and Wisocky could not be used as a credible witness as long as he was disbarred. But Schwarck knew how to help himself. Through the mediation of the Minister of Justice Simons, he obtained from the Prince-Regent that in January 1860 the master tailor Wisocky's rights of honour were restored by way of clemency, without his having applied for it. Now, according to the Chief Public Prosecutor, Wisocky's honour was completely rehabilitated and Wisocky was a fair witness.

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18. The invective articles by the writer Eichhoff against Stieber.

While Schwarck was dealing with the preliminary investigation against Stieber and the formulation of his accusation in the manner described above in the last months of 1859, letters from Berlin were published in a London newspaper "Herrmann" by a man of letters named Dr. Wilhelm Eichhoff, which contained the most hateful accusations against Stieber and other officials of the Berlin police headquarters.

At the request of the chief of police, public prosecutor Nörner brought charges against Eichhoff for insulting police officers. However, the latter referred to the pending investigation against Stieber for the same acts of which he had accused Stieber, and was thus able to delay the trial against himself until the end of January 1860. In the meantime, Eichhoff continued his vituperative articles in the London "Herrmann", heaping insult upon

insult against Stieber. Eichhoff also called on Stieber in Berlin newspapers to resign his office, otherwise he would continue to persecute him with his insults.

The police headquarters therefore requested Eichhoff's arrest in order to prevent him from continuing his criminal activities. Chief Public Prosecutor Schwarck, to whom this application was addressed, rejected it on the grounds that it was contrary to previous practice. Thereupon those issues of "Herrmann" which contained the vilest insults against Stieber (Stieber was referred to as "Cartouche", "Schinderhannes" etc.) were temporarily confiscated, but the chief public prosecutor ordered the immediate release of these letters by Eichhoff, which substantially supported his efforts against Stieber. Schwarck also hastened to announce the release of the "Volkszeitung" in writing, so that this measure was publicly announced the following morning, formally mocking the police authorities. The reason Schwarck gave for the release of the "Herrmann" was that he had already initiated criminal proceedings against Eichhoff for the insults against Stieber and that further confiscation proceedings were therefore superfluous. By this act Schwarck declared Stieber virtually outlawed in the face of Eichhoff's insults, and Eichhoff took advantage of this favourable situation to continue and intensify his abuse of Stieber. The release of the numbers confiscated by the police was subsequently approved by the Minister of Justice, and the "Herrmann" was consequently banned in Prussia at the beginning of 1860. But before this measure was implemented, a considerable time passed during which Eichhoff's invective articles were distributed and read unhindered in Berlin.

After Eichhoff had been sentenced to a longer prison term by the Berlin City Court towards the end of January for his invective articles and the "Herrmann" had also been banned in Prussia, Eichhoff appealed against the City Court's judgment to the Court of Appeal and continued his invective articles against Stieber in the "Hamburger Reform" during the almost year-long interim period of the confirmation of the City Court's judgment by the Court of Appeal, especially during the months of March and April 1860, to which we will return later. - It has not been possible to determine whether Schwarck was in contact with Eichhoff. In any case, while Schwarck attempted to ruin Stieber's honour in office, Eichhoff tried to besmirch Stieber's civic honour and his family life in the vilest way and to degrade them in public opinion. Eichhoff's unworthy activities were presumably in

the pay of rich people who had previously been persecuted and harmed by Stieber because of their unfair business dealings.

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19. Stieber's suspension from office. - Stieber's Officer-debt regulations.

While in the last months of 1859 Schwarck conducted the preliminary investigation against Stieber for misconduct in office and publicly called for denunciations and incriminating testimony against the accused, Stieber administered his office, seemingly unconcerned about the whole matter. In fact, however, he quietly took steps to provide himself with the necessary material for his protection and for the characterization of his opponent Schwarck from the files of the police headquarters accessible to him. Schwarck had no idea that Stieber was in possession of the correspondence between the Minister of Justice Simons and the Chief of Police von Hinckeldey with regard to the police proceedings against Techen and his comrades in 1856, or that Stieber had a certified copy of the report by the Chief Public Prosecutor Schwarck to the Minister of Justice on the "Prince of Armenia" of 1857 and other official documents compromising the Chief Public Prosecutor.

With the beginning of 1860, the criminal proceedings against Stieber took on a firmer shape as a result of the three criminal cases mentioned above, and during the first days of January the Wisocky-Gerson case became generally known through the newspapers. On January 9, 1860, Stieber therefore sent a letter to the Chief of Police v. Zedlitz with the following content:

"I feel so affected by the events of the last few days, which are sufficiently well known to Your Excellency, that I am unable to carry out my official duties for the time being. I therefore request that I be granted a four-week leave of absence. I believe that I may look forward to the granting of this most obedient request of mine all the more readily, as the Chief Public Prosecutor Schwarck, by all accounts, is constantly asserting that my official activities could hinder the continuation of the investigation into the well-known Wisocky matter and that I would like to see any such pretext removed."

The Chief of Police complied with this request with the express remark: "It may be hoped that such a long period as is requested will not be necessary to remove the current obstacles to his effectiveness in office."

But the police chief was wrong about this. Stieber did not take over the management of the criminal investigation department again at all.

At the end of March, Schwarck concluded the preliminary investigation he had personally conducted against Stieber. In the meantime, however, towards the end of January, an agent of the Chief Public Prosecutor's Office had brought him a case of Stieber's disqualification from office from the time after the death of Mr. von Hinckeldey, i.e. from a time in which Hinckeldey's decisive influence on Stieber's official activities could no longer have been decisive. This was a case of usurious debt settlements by officers of the Prussian army, which, as we mentioned above in the discussion of the judicial activities of the Berlin criminal police, were carried out by Director Stieber as Special Commissioner to the King in the years 1852 to 1857. In these settlements, Stieber's proceedings very often gave the impression that there was no criminal case at all that prompted the criminal police to intervene and that the innocent creditor was forced to waive part of his justified claim by means of police coercion. Schwarck believed to have found such an arbitrary procedure in a police intervention by Stieber against the merchant Pfüller on September 27, 1856, in which Stieber had confiscated Pfüller's bill of exchange against a young officer, named Horaz v. Koschembahr, for 68 Friedrichs d'ors * and forced the merchant Pfüller to waive about 50 thalers by threatening to prosecute him for usury.

* The Friedrich d'or was a Prussian gold coin (pistole) nominally worth 5 silver Prussian thalers.

Schwarck knew, however, that Stieber had been commissioned by the king himself to carry out the officer debt regulations, but he assumed that a commission issued to Stieber in official form did not exist and that Stieber would be reluctant to involve the king's person in the process and to invoke verbally issued orders from him in open court.

Schwarck wanted to combine this new case with the three other accusations against Stieber. Although Schwarck did not arrange for Stieber to be questioned about the Pfüller-Koschembahr bill of exchange case during the preliminary investigation, Stieber learned of the new accusation prepared against him as early as the beginning of February, the defence against which

was only possible by dragging the person of the sick king into the criminal proceedings. For everything that Stieber had done in the officers' debt regulations, he had done on behalf of the King, and the King's Privy Chamberlain, Mr. Schöning, and other persons close to the King had to declare this to be true when they were summoned as witnesses before the court.

Stieber therefore reported on this situation in a detailed letter to the Privy Chamberlain Schöning dated February 23, 1880, in which he gave vent to his feelings. We are passing on this letter verbatim, as it describes Stieber's situation in detail, as it was reflected in his mind, and essentially corresponded to the objective facts.

"You are already generally aware of the outrageous manner in which I have been persecuted by Chief Public Prosecutor Schwarck for some time. I have so far endured these persecutions calmly, but the matter is now taking on a character that forces me to finally go public. Since he has not been sufficiently successful in bringing myself to ruin through individual disciplinary investigations against me, Mr. Schwarck has personally contacted all kinds of crooks and swindlers, and he is literally winning them over to denounce me. The notorious Dr. Eichhoff, the author of the pamphlet "Herrmann", published in London and directed primarily against the King and his government, is working hand in hand with Mr. Schwarck, and a number of individual incidents are constantly being torn out of the period of Mr. v. Hinckeldey's administration in order to bring me and the officers of the criminal police to trial for them today. Almost all criminal commissioners are already involved in such investigations, and the unheard-of procedure is being followed in which the crooks and fraudsters against whom we fought officially back then are sworn in as witnesses against us, our official proceedings are ignored and our official negotiations are not listened to once. Of course, the statements of these people often sound great enough when the world is turned upside down in this way. There is no lack of perjury. The notorious Eichhoff, who pursues the same goal as Mr. Schwarck, to ruin me at any cost, investigates the individual witnesses and processes them before each interrogation. Most of these are cases that took place 6 or 7 years ago and about which the officials are not even still able to provide information.

"Nevertheless, I would trust in the justice of God and the Prussian judges that these intrigues will ultimately be revealed and that the courts will acquit us. But the whole affair is about more than our conviction, it is about causing

a sensation and scandal, and this purpose will certainly be achieved. They want to publicly compromise and accuse the entire police administration of Mr. v. Hinckeldey and thereby make me a victim of the revolutionary society, against which I have served my king faithfully and honestly. This is the simple meaning of the unheard-of endeavour to put an entire authority in the dock and bring it to ruin because of old, long-forgotten stories.

"But one thing is overlooked here. On whose authority did Mr. v. Hinckeldey act in most cases and instruct his officials? But only on behalf of His Majesty the King. If one publicly accuses the King's administration in such a way, one accuses the King. Mr. v. Hinckeldey saw and spoke to the King daily, received special orders from him in all matters, and I know the correspondence between His Majesty and Mr. v. Hinckeldey very well.

"Furthermore, one has no idea of the close relationship I had with His Majesty. You, Mr. Privy Chamberlain, know well enough how often His Majesty spoke to me secretly, how for years I continuously received His Majesty's special instructions in the most important investigations, and how my police activities were actually determined solely by His Majesty and those officials who had the most confidential relations with His Majesty. The King may sometimes have given us orders which can be challenged in a tendentious manner from the point of view of the public prosecutor. Mr. v. Hinckeldey and I carried out these orders blindly, because we were assured that the King of Prussia would always know how to protect the officials who carried out his will.

"You know by name the battle which I have waged on the special commission of His Majesty, in many cases even supported with funds from the Royal treasury, against the shameful usurers, by whom young reckless officers and other persons of the first families of the country have been stripped in the basest manner. You are aware of His Majesty's great interest in this matter. We police officers have only followed the special instructions given to us by His Majesty.

"It is primarily because of these battles against the usurers, for which the King has so often praised me wholeheartedly, that I and the criminal investigators are now being prosecuted by the Chief Public Prosecutor Schwarck. Consider the position I am in here. I am the father of a reputable family, my whole existence is at stake, so I must come out with the truth to save myself. I must publicly disclose His Majesty's delicate relations with the

police, I must publicly denounce those noblemen whom I have laboriously rescued in accordance with His Majesty's orders; I must make the instructions given to me and to Mr. v. Hinckeldey the subject of public discussion by the courts. I must publicly drag you and other persons who know about these matters before the courts as witnesses and reveal the most delicate secrets of the royal house.

"That the whole affair is not a sham of justice is clear from the simple fact that no plaintiff has appeared, and that Mr. Schwarck was already Chief Public Prosecutor and Mr. Simons Minister at that time. Why did these gentlemen not appear against us earlier? Why did they, as I shall prove, take such a lively part in various illegalities committed by Mr. v. Hinckeldey?

"I am beside myself to be the cause of this disaster, to be the cause that the king, my benefactor, should still be publicly reviled, that I should still cause this grief to our so sorely tried queen. But what can I do as the father of a family to save my honour and existence?

"And why all this? Only to satisfy the personal revenge of individuals against me and to oust me from office.

"I have already been so sadly sacrificed once in my youth for the loyal service I rendered to the state and the police. (Stieber alludes to the consequences of his commission after the Hirschberger Thale in 1845). I had once again achieved a respected and secure position when, as you know, I rejoined the police force at the personal request of His Majesty. For ten years I have served faithfully and honestly with all my soul, relentlessly fighting the enemies of order, and now for the second time I am to be sacrificed to these very people in such a shameful manner. It is impossible for me to bear this with silent resignation. I do not demand thanks for the loyal service I have rendered to the royal house, I only demand justice and protection against the most vile persecution that has ever been practiced against an official, and which finds its reason mainly in the mercy previously bestowed upon me by His Majesty. Please at least support me in this by giving open and honest testimony in court about the above-mentioned circumstances, and by assisting me, as the King's archivist, in the investigation of the relevant correspondence of His Majesty."

This letter, of which Schöning informed several persons close to the Prince Regent, in particular the Chief President of the Supreme Tribunal, Minister of State Uhden, resulted in the Minister of Justice Simons

instructing the public prosecutor Schwarck not to include the officers' debts in the criminal proceedings against Stieber. Schwarck complied with this order and excluded this matter from his indictment for the time being, reserving the right to pursue it later in a second special criminal case against Stieber.

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20. The position of the public prosecutor Nörner on the disposition. - The arrest of Stieber.

After the preliminary investigation against Stieber had been concluded in March 1860, it was now a matter of filing the indictment and representing it before the City Court, for which, according to his department, not the Chief Public Prosecutor but the First Public Prosecutor at the City Court, Mr. Nörner, was initially appointed. However, the Chief Public Prosecutor did not want to assign this delicate task to Nörner, who was on the most friendly terms with Stieber; on the other hand, he did not want to personally represent the prosecution before the Municipal Court, as this exceptional relegation of the First Public Prosecutor by the Chief Public Prosecutor would have caused a great stir among the authorities and the population and would have given the trial the character of a personal battle between the two enemies Schwarck and Stieber from the outset. Schwarck therefore used this difficulty to topple his friend Nörner at the same time as Stieber, and he applied to the Minister of Justice, who was well aware of Nörner's poor official qualifications, to have him removed. Since Prince Carl, Nörner's most influential patron, was out of town in March, Nörner lacked the most suitable advocate in an important position, and on March 24 he was put up for dismissal. He was replaced as public prosecutor by Count zur Lippe (later Minister of Justice), who, on the basis of the investigations carried out by his superior, Chief Public Prosecutor Schwarck, brought charges against Stieber for unlawful coercion and deprivation of liberty in three cases and against Detective Superintendent Tichy in one case.

On April 13, 1860, late in the evening, Stieber was picked up by several court officials from his apartment in Alexanderstrasse, where he was having dinner with his family, and taken to the city bailiff’s office. This arrest did not come as a surprise to Stieber, as Schwarck had already repeatedly requested Stieber's arrest for allegedly obscuring the facts of the case without

success. Mrs. Stieber accompanied her husband to the city police station, while the officers followed. The imprisoned criminal police director was given a better cell than ordinary prisoners. As early as April 18, he was released from custody following his complaint to the Court of Appeal, which considered the investigation to have already reached a stage at which an arrest no longer seemed justified due to the fear that the facts of the case would be obscured.

The reason for Stieber's sudden arrest was as follows: In the Schragow-Goldberg charge, in which Stieber was accused of having coerced the rentier Goldberg and the stable master Fürstenberg into concluding a settlement in the interests of Schragow by depriving them of their liberty, Fürstenberg had claimed on April 13 in the morning as a witness in the investigation against Stieber by the examining magistrate. On the morning of April 13, Fürstenberg, questioned by the examining magistrate as a witness in the investigation against Stieber, claimed that the landowner Lodomez, "well known to him as an agent of the secret police", had visited him a few days before his interrogation and had asked him on behalf of Stieber not to testify against him. Chief Public Prosecutor Schwarck, who had attended Fürstenberg's interrogation, requested Stieber's immediate arrest, which was carried out that same evening. The court hearing of the landowner Lodomez, which only took place after Stieber's arrest, revealed that he was neither a secret agent of the police nor that he had been instructed by Stieber to influence Fürstenberg's testimony in any way. Fürstenberg himself admitted in the later court hearing against Stieber that Lodomez, whom he knew to be friends with several police detectives, had been with him before his interrogation in the preliminary investigation and had only asked him to testify in favour of the police officers.

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21. The court hearing: Affaire Gerson-Wisocky.

The public trial of the first instance against Stieber and the criminal commissioner Tichy took place on May 14, 15, 16 and 17, 1860 before the IV. Deputation of the Berlin Criminal Court. The presiding judge was City Court Judge Torgany, the associate judges were City Court Judges Bernard and Bertram, and the public prosecutor was Count zur Lippe.

The two defendants appeared in person. Tichy was assisted by a defence counsel, while Stieber defended himself alone.

The first charge concerned the Wisocky-Gerson case, and the indictment stated the following:

"Until 1854, the master tailor Wisocky worked for the store of Hermann Gerson, purveyor to the court, making women's coats and using the pieces of fabric he was supplied with in larger quantities to make coats, which he sold for his own account. On September 25, 1854, Gerson received news of this in an anonymous letter and was also told of a house in Grünstrasse where a large quantity of such Wisocky coats were lying. Gerson now hurried to this house and found a bundled package in the store of Dietert, a merchant of postamentier * goods, containing several such coats together with cords and other accessories; he claimed the package as his own and delivered it to the police towards evening. Wisocky was called to Gerson's house. Here, in the presence of the guard Henseleit, he was accused of having sold these coats, made from Gerson's fabrics, to a tailor named Reuss from Rostock, and although Wisocky claimed to have a right to them, he was delivered with the coats to the criminal police at about 5 o'clock in the evening, where he was only very briefly questioned by Detective Inspector Tichy and arrested on the basis of Tichy's report, in which it says "until further notice" instead of the offense to be designated. He was questioned again the next day, without any minutes being taken, and only released on September 27 at noon by Stieber's order. During his imprisonment, he reached an agreement with Gerson in which he promised him 500 thalers in damages, and he was only released after this settlement had been reached, whereupon Gerson took him with him in a cab and, by threatening his re-arrest, forced him to issue a certificate of loss for 1000 thalers and four bills of exchange for 250 thalers each as cover and to leave Gerson a bond for 2000 thalers as collateral. Gerson kept the coats. The defendant Tichy is now accused of unlawfully arresting Wisocky, unlawfully keeping him in police custody for more than 24 hours (§ 317 of the Prussian Criminal Code), forcing him to reach a settlement with Gerson through threats (§ 315 of the Prussian Criminal Code) and finally not handing the matter over to the public prosecutor; Director Stieber is accused of having known about Tichy's conduct as his superior and of having permitted it (§ 330 of the Prussian Criminal Code)."

* The use of passementerie is: “Trimmings, e.g., heavy embroideries, braid tinsel, beads, lace, and gimp, used as edging in 19th c.”

The presiding judge proceeded to interrogate the detective commissioner Tichy, who replied to the charge as follows: "I interrogated the two suspects, Wisocky and Reuss, and gained the conviction from the interrogation that Wisocky was strongly suspected of embezzling Gerson's coat fabrics, and Reuss of receiving stolen goods in relation to the embezzlement. I therefore had them arrested. The next morning, merchant Gerson came to the office in response to my summons. Wisocky objected to him, saying that by skillful tailoring he had made those coat fabrics unnecessary which had been marked as embezzled, but that he had not damaged Gerson thereby, since he had correctly delivered the number of coats he had been ordered to make. I told him that I thought it would be good for him if he came to an agreement with Gerson. I meant by this statement that the judge, if the case came to his decision, would in any case attach importance to it in his favour, if the attempted damage was compensated to the defendant, and I also made this statement in view of the fact that Gerson had declared that he wanted to keep Wisocky in his service as a tailor if he compensated him for his damage. Gerson and Wisocky now conferred with each other with my permission, without my hearing what they had said. Finally Gerson told me that he had come to an agreement with Wisocky, that he was not at all interested in punishing him, and that he only wanted compensation for his loss. I soon presented this situation to Police Director Stieber and told him that, in my opinion, both Wisocky's guilt and the entire legal relationship underlying the acquisition of the coat fabrics by him were highly doubtful. Director Stieber went with Gerson and Wisocky to the public prosecutor, and he later informed me that the public prosecutor had declared that he could not find sufficient cause to take action against Wisocky. I don't know what agreement was reached between Wisocky and Gerson, I didn't bother to find out."

Chairman: You kept Wisocky in custody for longer than the legally permitted 24 hours without handing him over to the public prosecutor.

Tichy: We let many prisoners sit for two days, thousands of arrest slips must prove that. Chairman: That would not be an excuse for you. How do you want to justify Wisocky's arrest? Tichy: Wisocky was caught shortly after the crime. Such a large quantity of cloak material was found that the strongest suspicion arose that he had acquired it dishonestly, which was further increased by the position the suspect held with Gerson.

Incidentally, Tichy denied the accusations made against him in the indictment, but he admitted that it was true that he had bought one of Gerson's coats.

Stieber made the following statement on the same charge:

"I heard nothing of the Wisocky affair until the moment when Mr. Tichy gave me a lecture on it. I immediately told Tichy, who told me of his doubts as to Wisocky's guilt, that the tailor must be released, as he was not suspected of flight. But whether the investigation should be dropped altogether, I immediately declared to be a matter for the public prosecutor. I went with Gerson to the office of Mr. Nörner, with whom I conferred every day at noon about the prison cases, told him what Tichy had told me about the situation, and left it to him to question Gerson further. After both gentlemen had come to an understanding, Mr. Nörner said to me that he could find no reason to intervene in the matter after what Mr. Gerson had told him. As a result, I immediately signed the dismissal order. Under these circumstances, how did the prosecution come to accuse me of fraudulent extortion? I must firmly protest against this allegation. I also maintain that Wisocky and Reuss were not arrested unlawfully. A later legally binding decision has established that Wisocky embezzled. When the offense was discovered, the police not only had the right, but also the direct duty to arrest them, because where guilt is obvious to the court, there is at least strong suspicion for the police. Reuss was a foreigner and as such suspected of flight, so his arrest was all the more justified. I did more than was my duty when I questioned Nörner about the release of Wisocky. I was able to dismiss the latter independently. - I also maintain that Wisocky did not serve more than the statutory time. Chief Public Prosecutor Schwarck himself had to admit to me at a conference that it was not possible for the police headquarters to present a defendant to the public prosecutor in 24 hours, in view of its busy business. If a person, like Wisocky, is arrested on Sept. 25 in the evening, an evening when there is no prosecutor and no judge available, the time of his arrest can only be calculated from the next morning. The course of business does not permit otherwise. According to the principles adopted by the police headquarters in this regard, Wisocky was therefore only arrested early on the 26th; he was brought before the public prosecutor on the 27th; Tichy therefore did not keep him in custody beyond the statutory period."

At the hearing of evidence, the tailor Wisocky was questioned first.

Chairman: Are you currently in possession of civil rights?

Witness Wisocky: Yes.

Chairman: But you have been sentenced to four months' imprisonment for embezzlement, and you are forbidden to exercise your civil rights for a time. Since when have they been restored to you?

Wisocky: Since January of this year.

Wisocky then recounted the facts of the case according to the description given in the indictment, but admitted, when questioned by the presiding judge, that he had been induced to make the settlement not only by the appearance of Tichy, who had limited himself to reading out the section of the penal code on embezzlement and had persuaded him to make a settlement with Gerson, but even more so by Gerson's persuasion and threats.

Chairman: Did Tichy always hear everything that Gerson negotiated with you?

Wisocky: I don't remember that.

Chairman: Can you cite any evidence that Director Stieber was aware of the interference allegedly exerted on you by Tichy, and that he tolerated or even approved of it?

Wisocky: No. I had nothing to do with Director Stieber until I was dismissed, and even then I only exchanged a few words with him. He didn't mention the embezzlement at all, he just said I was lucky to have gotten off so well.

Chairman: So you had another conversation with Stieber later?

Wisocky: Yes. I had filed a denunciation against Gerson for blackmail and was summoned to appear before Director Stieber. He asked me in a very vehement tone how I could be so impudent as to denounce Gerson after he had behaved so humanely towards me. Then he became very rude to me, calling me "wretch" and using similar insults. He said that if I didn't take back the denunciation, I would be arrested again.

Chairman: Why didn't you report all this to the police at the time? You don't let an official treat you like that if you have a clear conscience.

Wisocky: I wanted to do that too, but my lawyer advised me not to.

Chairman: In the denunciation for blackmail against Gerson, you claimed that the police officers did not exert any influence on you at all, but that this was done by Gerson alone. How does that tally with your statements today?

Wisocky did not answer this question.

Stieber: I would like to ask the witness whether his honourary rights have been restored at his request or without his request.

Prosecutor: I protest against this line of questioning, the right to pardon must not be made the subject of discussion.

Wisocky (turning to Stieber): My honourary rights have been restored to me without my request.

Stieber: That's what I want to say, Wisocky didn't even make this application. He was given the right of honour in order to create a credible witness against me.

Vors.: This assertion probably goes too far.

Stieber: I will prove later that the whole case against me is a tendentious one! I only ask you to read a letter from the public prosecutor's office, which I have submitted for the files, in which it expresses its thanks and appreciation to the criminal police for the many settlements reached in dubious cases.

The chairman read out the letter in question, in which the public prosecutor expressed disapproval of a settlement reached by police inspector Zillmann, but took the opportunity to acknowledge that the criminal investigation department had worked beneficially in similar cases.

After a number of witnesses had been heard whose statements were meaningless, the public prosecutor Nörner was heard as a witness.

Chairman: It has been provoked on your testimony that according to the established usage the police were not necessarily obliged to present prisoners to the public prosecutor's office within 24 hours.

Nörner: However, this practice prevailed until Chief Public Prosecutor Schwarck took office and demanded explanations from the police. As a result, a conference was convened, which consisted of the Director General of Police von Hinckeldey, the examining magistrate Schlötke, the President

of the Municipal Court Schröder, the Chief Public Prosecutor Schwarck and myself. In this meeting, the police officers argued that, in view of the workload, it was generally not possible to present the prisoners within 24 hours. The previous practice therefore remained in place until two years ago.

With the testimony of police lieutenant v. Koppelow that he had worked in the same room and at the same table with Tichy at the time in question, had attended the negotiations with Wisocky, but had heard nothing of any threats by Tichy against the latter, although such threats, if they had really occurred, could not have escaped him, - the evidence on the first count of the indictment was closed.

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22. the court hearing: the Schragow-Goldberg affair.

According to the indictment, the second charge against Stieber was as follows: The rentier Goldberg, who had been in business relations with the banking house Schragow &. Co. since 1854, received a contract bill from Schragow on June 1, 1854, in which the latter acknowledged Goldberg's credit balance of 4400 Thlr. and promised payment with 8%. interest against 14 days' notice. Goldberg ceded this bill to the stable master Fürstenberg on June 28, 1854, and the latter sued Schragow for the above sum. Goldberg swore an oath as a witness in this lawsuit that Fürstenberg's cession was not a sham transaction, but before the date of his examination as a witness he had his client, lawyer Simonson, make settlement proposals to Schragow, which, however, did not lead to any results. Fürstenberg had paid Goldberg only 400 Thlr. cash on the cession of the 4400 Thlr. and issued a disposition bill for the rest, according to which he wanted to pay the remaining sum as soon as he had collected it from Schragow. Schragow was sentenced to pay 4400 Thlr. in the event that Fürstenberg swore an oath about the factuality of the cession, and since he had a claim of 2800 Thlr. against Goldberg as a result of other transactions, but Goldberg had a claim of 2800 Thlr. However, Goldberg had no cover for this other than the claim against him, which was ceded to Fürstenberg, so he believed he had been cheated by him and, on the advice of his lawyer, Justizrath Geppert, turned to the criminal police, where he met Director Stieber. Goldberg and Fürstenberg were taken to the police station early in the morning on October 15, 1855 by the criminal investigators Nestler and Pick, their apartments were searched and various

papers seized, they themselves were detained separately at police headquarters and even Goldberg's room there was locked. Only towards 11 o'clock were they questioned by Stieber, who accused Goldberg of fraud or perjury in this matter, but Fürstenberg of participating in it. Stieber said to them: "You stay here, it will be all right. Stieber then left them alone with Schragow at 12 o'clock to discuss a settlement, and they allowed themselves to be intimidated by the threat of further imprisonment into concluding a settlement with Schragow, as it was detrimental to them, especially to Goldberg, and at the same time the cession that had been concluded was rescinded. Stieber himself drafted the settlement, declaring that "he did not need the court for this, it would be much quicker with the police, and only after the settlement had been signed were Goldberg and Fürstenberg released without an official hearing having been held on the case. In this case, too, Stieber is accused of unlawful coercion under § 315 of the Prussian penal code.

After the reading of the indictment, the defendant Stieber made the following comments on this point:

"One day in 1855, the banker Schragow, who was completely unknown to me until then, came to me and told me the following: He had received an order from a certain Goldberg to carry out various stock market speculations for him. In order to cover himself for the resulting risk, he had demanded security from him and received a deposit of 4400 thalers. The last transaction was made by Schragow for Goldberg at the end of June 1854. Goldberg had made a speculation, unexpected political conjunctures occurred and he lost. Shortly before the differences were due, when he could already foresee with certainty that Schragow would have to pay about 2800 Thaler for him, he suddenly ceded the entire deposit to the stable master Fürstenberg, so that the house of Schragow was deprived of cover. Fürstenberg immediately cancelled the deposit and sued Schragow for the entire sum. During the trial, Goldberg swore that he had only received 400 thalers in value for the sum ceded to Fürstenberg, but that the cession had not been simulated. Furthermore, an oath was imposed on Fürstenberg concerning the factuality of the cession. Schragow appealed against the oath imposed on Fürstenberg. Now he, Schragow, on the advice of his lawyer Geppert I, came and denounced the claim that Goldberg had only made the cession in order to deprive him of his cover, that Goldberg had already committed perjury by swearing to the clearly existing simulation of the cession, and that it was to be feared that Fürstenberg would also commit perjury in the second instance.

"I had Goldberg and Fürstenberg, after their writings had been confiscated, both arrested on October 15 and brought before me. After both had been questioned separately and had become entangled in the greatest contradictions, I convinced myself that I had an honest man before me in Schragow. Goldberg had been punished for usury and gambling, and was under investigation for fraud. When I went into the matter more closely, however, I found that it would not be possible for me to produce the evidence of Goldberg's perjury necessary for a conviction.

"I sent for Schragow and told him that it would be best to try to reach an amicable settlement with the two men, since their crime could not be proven. I have now, and I make no secret of this, tried to bring about the settlement myself, and have probably also told Goldberg and Fürstenberg that they might have to fear imprisonment if the investigation were to continue. But I did not threaten them. I did myself the honour of bringing about a settlement in the case where no crime or misdemeanor was evident, but rather doubtful, and the informer did not wish to continue the proceedings. There is also an order by the Director General of Police v. Hinckeldey that in cases of this kind we should not only regard ourselves as police officers, but also as justices of the peace.

"And should I not have done this in a case where Schragow, an honest man, was confronted with the gentlemen Fürstenberg and Goldberg, who wanted to take advantage of him, and against whom he could do nothing after Goldberg had taken the oath described? The settlement was finally reached to everyone's satisfaction. Goldberg wept tears of gratitude into my hands. Everyone left my office satisfied. And now, according to the indictment, I am supposed to have coerced Goldberg and Fürstenberg into this settlement by threatening them, into a settlement in which Goldberg got 700 Thlr. from Schragow, which he was not entitled to, into a settlement in which Goldberg obviously won? Goldberg and Fürstenberg are such shrewd businessmen that, if they really believed themselves to have been pressed by me, they would not have waited five years to denounce me until the present political conjuncture, when everyone is making a profit by contributing to my downfall. I have therefore not been guilty of any transgression of official authority here either, and all the less so as Fürstenberg and Goldberg have not been imprisoned at all."

The banker Schragow was heard first in the hearing of evidence on this charge.

Witness Schragow described the facts as the defendant Stieber had done. "On October 15, 1855, I was called to the police station, where I found Goldberg and Fürstenberg. Goldberg declared that he was prepared to settle and asked me to withdraw my denunciation. I refused at first, but Director Stieber persuaded me that I should settle rather than risk perjury. Goldberg and I then negotiated the settlement in a separate room, without Stieber being present, and the result was that Goldberg recognized the cession to Fürstenberg as fictitious, and that I allowed 700 thalers of my claim to dwindle, so that Goldberg received 2300 thalers of the 4400 thaler deposit. Fürstenberg was then called in, who agreed with everything and wanted nothing more to do with the whole matter. Director Stieber did not use any threats against either Goldberg or Fürstenberg. After the settlement had been reached, Director Stieber wrote it down at his request. The next day Goldberg came to my office and collected the 2300 thlr. in exchange for a bill in which he declared that he was completely satisfied and had no claims of any kind against me."

At the special request of Director Stieber, Schragow also stated: "I have never asked the defendant to bring about a settlement, nor have I communicated any settlement positions to him. Likewise, I have never paid Director Stieber any remuneration for his efforts."

The reindeer Goldberg was then questioned. He began his testimony in an agitated manner:

"Gentlemen, I would like the floor. Mr. Director Stieber has publicly insulted me here, he has called me a usurer and a hazard player. I would like to explain to you how things stand."

Chairman: Have you already been punished?

Goldberg: Yes, six times for usury with arbitrary punishment, 50 thalers each, making 300 thalers, and once earlier for usury. Let me tell you what the situation is.

Chairman: This does not belong here, it is enough, you are punished.

Goldberg: But I'm not a player.

Chairman: Aren't you being punished for gambling?

Goldberg: No.

Stieber: The witness was probably punished for gambling; the files show that.

Goldberg: But only with 5 thalers. Let me explain the matter.

Chair: I urge you to tell the truth, there is nothing to explain here.

Goldberg: I am not an informer, a certain Woldenberg made the denunciation against Stieber, and the chief public prosecutor only demanded a statement from me. Two days before the closing date at the stock exchange, I ceded the deposit of 4400 thalers to Fürstenberg for 400 thalers currency. I just needed 400 thalers, and the counterclaims of the House of Schragow were not yet liquid.

Chairman: But this transaction is very conspicuous. If you needed 400 thalers, you only had to cede 400 thalers of your claim to Fürstenberg, and not the entire sum of 4400 thalers for such a small value date.

Goldberg: Schragow could sue me for his claim and wait and see if I wouldn't pay.

Goldberg then narrated the course of events according to the statement of the indictment. He admitted that the next day he had voluntarily gone to Schragow's office and demanded the money that had been promised to him at the police station. Shragow had deducted 100 thalers from him, and he, Goldberg, had now gone to Director Stieber and enlisted his help so that Shragow would pay him the disputed 100 thalers and keep the promise made to him at the police station. He went back to Shragow and told him that Director Stieber had determined that Shragow had to pay the money he had promised.

The banker Schragow and the director Stieber declared Goldberg's statement to be untrue.

When it was now time to swear in the witness Goldberg, the defendant Stieber interrupted this act with the following words:

"I have repeatedly called the proceedings against me a tendentious one; in this matter I must declare them to be quite unheard of. I was arrested on the mere testimony of Goldberg and Fürstenberg. Today's trial has already provided evidence of how unreliable these witnesses are. But I will prove that they have actually perjured themselves. The evidence is in my hands. First of all, one should have asked, are there no written proceedings in this

case at the police station? This would have been the first duty of the Chief Public Prosecutor and the examining magistrate before I was arrested. Instead, the prosecution claims to my face that the case was not dealt with in writing because these two witnesses denied it. Now, however, there are very detailed written protocols, taken by me and Detective Inspector Pick, in which Goldberg and Fürstenberg have admitted their guilt. These records show my innocence in the matter and prove that the statements made by Goldberg and Fürstenberg in the preliminary investigation, on the basis of which I was arrested by Chief Public Prosecutor Schwarck, were sworn! (General sensation.) These files, which are so important to me, have been filed under seal at police headquarters, and will be officially presented by Criminal Investigator Nestler. Goldberg doesn't deserve it for me, but I want to spare him perjury."

Detective Inspector Nestler then handed over the sealed police files. The files were opened and read out by the presiding judge.

From the reading of the same it emerged that Schragow had denounced the case in writing to the police director Stieber, and the latter had transferred the matter in writing to the criminal inspector Pick on October 11, 1855; the latter had made the investigation, and it was he and not Stieber who had initiated the suspension of Fürstenberg and Goldberg; according to the sworn testimony of the criminal inspectors Pick and Nestler, the intention to bring about a settlement had in no way prevailed. Stieber and Pick had taken detailed minutes with Fürstenberg and Goldberg, in which Goldberg had admitted to a number of frauds. At the end of the police files there was a statement signed by Goldberg and Schragow themselves and officially executed by Police Director Stieber and Detective Superintendent Pick, according to which Goldberg had urgently requested that he be allowed to make a settlement with Schragow and so on.

In response to the presiding judge's question, Goldberg and Fürstenberg recognized the minutes as genuine and their content as largely correct, but Goldberg claimed that some of them had probably been written down arbitrarily, a claim to which Detective Inspector Pick strongly objected. Detective Inspector Nestler confirmed the statements of Detective Inspector Pick.

Various witnesses called by Director Stieber testified to a variety of detrimental circumstances about Goldberg's character, namely that he was

devoted to gambling and, if he suffered losses, threatened to denounce him in order to get his money back, and that he had also been beaten up in public places and spat in the face. After Goldberg and Stieber had made a few more incidental remarks, the hearing of evidence on the second charge concluded.

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23. The court hearing: the Wallner-Wagner affair.

According to the indictment, the third charge against Stieber was as follows:

In 1855, the musician Grieben was the owner of the current Wallner theatre property and had granted the then nuntius * Wagner at the police headquarters power of attorney to conduct his business. In this capacity as Grieben's agent, Wagner concluded a lease agreement for this property with the theatre director Wallner in August 1855, according to which the first lease instalment of 375 thalers was to be paid prenumerando on September 1, the day of the handover. However, the police demanded that Grieben build a concealed passageway from Blumenstrasse to the theatre building before the theatre performances were permitted.

* Nuntius / nuncius - messenger.

In order to remove any obstacle, Wallner advanced 375 thalers on the day after renting the land, on the express condition that this money would only be used to build the aforementioned passageway, but Wagner, who had received the 375 thalers from Wallner, only paid 200 thalers of it to the master carpenter Meyer, who left the construction unfinished with this small down payment, and the rest of 175 thalers, contrary to the agreement, to Grieben. Wallner now realized that he would gain nothing by paying the money and turned to Stieber. The latter ascertained that Wagner, urged on by Wallner, had sought help from his brother-in-law, the iron foundry owner Asch, and instead of the cash that he had received gave him a disposition bill for 200 thalers, but which he had pledged again to a creditor named Moritz for 38 thalers, and now it was up to Stieber to find out whether Wagner had really deposited the money with Asch or whether Wagner had embezzled it.

On September 13, 1855, Wagner was therefore arrested on Stieber's orders. That same morning Asch was questioned, he stated that the

disposition was correct, and in the evening of the same day, when Asch was unable to produce the 200 Thlr. in question to Detective Inspector Nestler, he too was arrested. He remained in custody until the following day, when his wife deposited the 200 Thlr. with the police and he and Wagner authorized the use of the money for Wagner. Accordingly, Stieber is accused of having unlawfully arrested Wagner and Asch and of having abused his official authority through threats in order to unlawfully force Asch to hand over 200 Thlr. and Wagner to allow the deposit of 175 Thlr. to be used for the theatre director Wallner.

To this charge, Stieber replied: "What I did in this case was done on the express orders of my superior authority. The arrest of Wagner was ordered by the plenum of the police headquarters and Asch was arrested by another officer. How they came to accuse me in this case is beyond me. It has not even been proven that I arrested anyone, and yet I am accused of unlawful arrest. What I know about the matter is as follows: The theatre director Franz Wallner, who was unknown to me at the time, came to me in 1855 and informed me that Wagner, who was employed by my office as an assistant messenger and who had pretended to be a criminal commissioner, had received 375 thalers in rent from him in his capacity as the authorized representative of the owner Grieben with the obligation to pay this sum to the building contractor who would erect a portico to the theatre. Wagner had only paid 200 thalers to the building contractor, but had given the rest of the money to Grieben. Grieben denied this. Wagner, a man who had long been suspected of having committed official and other offenses, was questioned. He made contradictory statements and claimed to have deposited 200 thalers with his brother-in-law Asch. Investigations were carried out.

The detective commissioner Nestler arrested Asch in accordance with instructions given to him by another party, because he had confessed that he had spent 200 thlr. as wages without the knowledge of his brother-in-law Wagner, and had therefore embezzled it. Later it turned out that the deposit slip for 200 Thlr. had been pledged elsewhere by Wagner for 38 Thlr. and that Wagner had not given any money to Asch at all. The arrests were therefore completely justified. Soon after the arrest, Asch's wife appeared and offered me 200 Thlr. to be paid to Wallner. I refused Mrs. Asch and sent her to my boss, who entrusted me with accepting the money and settling the matter. I only acted on behalf of my superior authority in this matter, as the files show, especially with regard to Wagner, and my authority did not allow

Wagner to be prosecuted, but rather punished him by dismissing him from his post."

The hearing of evidence on this point of the indictment revealed the accuracy of Stieber's account. Even a witness for the prosecution, the wife of the factory owner Asch, who had been arrested, admitted that Stieber had replied to her statement that he would pay the 200 thalers that the matter was not yet settled and that he still had to question Asch. "I now complained," Mrs. Asch stated verbatim, "to the Regierungsrath Lüdemann (the then representative of the police chief v. Hinckeldey), who sent for Mr. Stieber and the latter, after consulting me, explained that I should fetch the money and obtain my husband's freedom on payment of the same. I collected the money and got my husband back."

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24. Stieber's defence speech.

After the conclusion of the hearing of evidence on the three other charges, the public prosecutor took the floor in support of the indictment. In a brief presentation, he declared that the indictment should be upheld in its entirety and requested two years in prison against Stieber and two months in prison against Detective Inspector Tichy. Tichy's defence counsel raised the objection that the Wisocky case was time-barred.

The defendant Stieber then took the floor for his defence speech, from which we would like to highlight the following sentences that generally characterize Schwarck's proceedings against him:

"All the prosecution witnesses who testified against me were people of dubious credibility. Wisocky has been legally punished with loss of honour for embezzlement. However, he has been pardoned in the course of this investigation. The regent can restore his rights of honour, but no power in the world can make him an honest man. The body servant Krüger (another prosecution witness in Wisocky's case) has been shamefully driven out of the service by me because he embezzled 70 thalers of service money. The nuncio Wagner has recently been under investigation again for misdemeanors and has already been sentenced to loss of honour in the first instance. Enough has already been said about Goldberg and Fürstenberg. Goldberg has already imbibed hatred of the police with his mother's milk and

has not fallen far from the tree after his actions. A court will never be able to convict the head of the security police, who has been in a relentless battle with these elements of society for ten years, on the basis of such incriminating witnesses. The exculpatory evidence, on the other hand, consists either of official documents of unquestionable credibility, or of the affidavits of innocent civil servants, or of thoroughly honourable, decent witnesses, such as Schragow, Wallner, and so on. These are incidents that took place five and six years ago. In such a long period of time, a witness can very easily be mistaken, and herein lies the unquestionable duty for the Court to consider only those facts proven in respect of which evidence of particularly irreproachable strength is available.

"In particular, I vigorously oppose the prosecution's suggestion that the Court should convict the chief of the criminal police on several charges on the sole testimony of a single convicted person. If the court institutes such a procedure, it dissolves the entire security and existence of the state and the civil service. Every judicial and police officer can then be deprived of his freedom and existence on the testimony of the individual crooks against whom he had taken official action. Just wander through the penitentiaries and prisons, and almost every criminal will assert that he is innocent, and that his judge is a perjurer, a forger, and so on. One need only pardon such a punished person, restore his rights of honour, swear him in as a witness against the official, and one has found a recipe by means of which one can eliminate any official who has become unpopular. If, as happened in the present trial, one still seeks out facts which all occurred 5 and 6 years ago and which an honest witness would still find difficult to remember, and in respect of which witnesses are difficult to identify after such a long time, then one cuts off all defensive evidence from the official and mercilessly exposes him to the world of crooks.

"The criminal world has been formally gathered against me. Chief Public Prosecutor Schwarck has personally invited a number of people, some of whom belong in this category, to his office, formally provoked people to make denunciations against me and other police officers and brought people who had resisted the denunciation before the examining magistrate to give evidence. Several people have testified to this themselves. The elements in question systematically gathered in their pubs and meeting places against the security police and supported each other with testimonies and denunciations. They have even gone so far as to stimulate these people's greed for profit by giving them the hope that the police officers, if they were convicted, would

have to reimburse them for the money they had extorted, so these people were pursuing a substantial interest in their statements."

Stieber then went through the individual charges in his defence speech, concluding with the following statement:

"There has been repeated talk here of a deplorable system that has fallen and of general abusive conditions in the city. The police are currently in a very bad position in the face of these allegations. People are now completely forgetting the good that the police have done, and in particular the services I have rendered to the safety of the city. It is now a cheap boast to rail against the police and trample them underfoot. Certain subjects are now making a sad profit out of writing disgraceful articles against the police and selling them for money. The great multitude blindly follow the general clamour and completely forget that the security of the state and property depends on the police. I will not deny that under the former system many things occurred which are not directly in accordance with the laws, but I have not been one of the supporters of that system; on the contrary, I have often been at war with it.

"But of course I submitted to the views of the time in this system, like everyone else. And who is actually to blame when the police encroached on the functions of the judiciary back then? None other than the judiciary itself! The Chief Public Prosecutor Schwarck now wants to make a special task of prosecuting the police officers; I have already discussed the means he is using. But who was actually behind the Hinckeldey system? None other than Schwarck himself. Was he not already Chief Public Prosecutor at that time? Did he administer his office in such a way that he did not notice the generally abusive conditions that are said to have prevailed in the city? Was he not able to prevent the abuses of the police at that time, did he not remain silent about them as long as Mr. v. Hinckeldey lived? The cases brought to trial here must not be judged by the practice that prevails today, but by the practice that prevailed at that time. The judiciary itself did not always adhere strictly to the existing laws. For example, as long as Mr. v. Hinckeldey was alive, the public prosecutor's office, with the express permission of Mr. Schwarck, was completely ignored when prisoners were brought before him. For many years the situation prevailed in Berlin, which was completely contrary to the law, that police prisoners were immediately brought in for judicial custody and questioned by the examining magistrate, bypassing the public prosecutor. Gentlemen, you want to discuss with the

defendant Tichy and myself whether the tailor Wisocky served a few hours more than the statutory police detention. At that time, the judiciary itself did not take this very seriously. There have been cases where the Minister of the Interior himself, with the prior knowledge of Chief Public Prosecutor Schwarck, has had politically suspicious persons held in police custody for weeks, even months, without a judicial order having been issued or even obtained, without these persons having been questioned by a judge. These people were released again without even being charged or investigated. If the judiciary itself did not adhere so strictly to the special laws at that time, can one want to judge the police with such severity? "

Prosecutor: I must be very surprised to hear such statements about events of the past from a man who himself was called upon to prevent and prosecute unlawful acts.

Stieber: I don't understand this accusation, should I, the police officer, have prosecuted and charged the public prosecutor, the chief public prosecutor, the chief of police, the ministers? The police have no means to do this. Only the public prosecutor can do that. Why did he not appear at the time?

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25. The judgment.

The result of the court hearings held from May 14 to 17, 1860 was the acquittal of Stieber and Tichy by decision of the city court on May 18, 1860.

We emphasize the following essential sentences from the reasons for recognition:

I. In relation to the Wisocky case:

"As far as the arrest of Wisocky is concerned, the court cannot regard it as unlawful. Defendant Tichy rightly considered Wisocky's action to be embezzlement, and thus there was causa criminalis. The success shows that the defendant proceeded correctly, because Wisocky was found guilty of embezzlement and sentenced to 6 months in prison in addition to loss of honour. The Court also assumed that Wisocky had not been detained for an

unreasonable length of time, since, according to the information requested by the police headquarters, it had previously been assumed by the same that police detention is only to be counted from the time when questioning is possible, i.e. in the present case from the following morning, so that the statutory 24 hours only ended on the morning of September 27. It is established in his favour that on the afternoon of September 26 he was no longer able to make a presentation to Director Stieber about this, but that this was only possible the next morning and that the defendant was not allowed to release the arrested Wisocky on his own. There is no sufficient proof of Wisocky's coercion to make the settlement with Gerson as claimed by the prosecution. Wisocky's false assertion is only supported by the police officer Krüger. Neither witness deserves to be believed. For Wisocky has been punished for embezzlement and only regained his civil rights by royal clemency before the beginning of the investigation, he has also involved himself in contradictions on various occasions in the criminal and civil proceedings ... "

"As far as the defendant Police Director Stieber is concerned, he had to be acquitted of the accusation in this case, since the offense against the main author has not been proven. But even apart from this, he could not be found guilty, because it has not been proven that he had received knowledge of the arrest of Wisocky earlier than on the morning of September 27 through Tichy or otherwise, and that he had even known about the alleged unlawful coercion of Tichy. According to the latter, he immediately went to the public prosecutor Nörner, who agreed that the matter should not be prosecuted further. Since Stieber then immediately ordered the dismissal of Wisocky himself, he can be charged with all the less, since, according to Nörner's testimony, the criminal police often only dealt with minor offenses orally without taking minutes. The second accusation against Stieber, according to which he is said to have coerced Wisocky into withdrawing his denunciation against Gerson under the official threat of arrest, is based only on the testimony of Wisocky himself, who is not a credible witness for the reasons given above. "

II. In relation to the Goldberg=Fürstenberg case:

"There can be no doubt that the collection of Goldberg and Fürstenberg, even though they were not taken to a prison but to a party or office room, was a provisional arrest within the meaning of the law, since, according to the defendant's own statement, they were not allowed to leave without his

permission; The court alone considers this provisional arrest by the police to be fully justified, as there must have been strong suspicion on their part that it was a case of fraud against Schragow and therefore causa criminalis, as Schragow's mandatary, Justizrath Geppert, had assumed and had therefore sent Schragow to the criminal police. On the other hand, the threat of further arrest and criminal prosecution in order to obtain a settlement and the revocation of the cession would be punishable, since the police had no right to do so and the arrested persons were forced to suffer civil law disadvantages as a result of this moral influence. However, sufficient evidence has not been obtained in this respect. The completely irreproachable witness Schragow contradicts the statements of Goldberg and Fürstenberg in the most definite manner, and the witness Goldberg, who has already been punished for usury and gambling, is also described by other witnesses as a dishonourable person and usurer, and the witness Fürstenberg deserve no credence, since they were obviously accomplices in a dishonourable transaction, since furthermore their statements are not supported by anything, but rather suspected by other credible witnesses who were present at the trial, and finally because both witnesses have denied facts which are most completely corroborated by the procured police interviews. "

III. In relation to the Wagner-Asch case:

"The Court was not able to regard the arrest of Wagner and Asch as an unlawful official measure on the part of Stieber. For apart from the fact that it was not Stieber who arrested these persons, but the former was arrested only on Stieber's orders and the latter by the Criminal Commissaire Nestler, there was also reason in the case itself for the police authorities to assume that Wagner or Asch had embezzled the 200 thalers, and if this had really not been justified, the defendant could not be regarded as responsible for it, since according to the files of the police president the arrest of Wagner took place on presentation in the Collegio and therefore on the orders of the authorities. This is expressly mentioned in the arrest order signed by Stieber and is also confirmed by Wagner's personal files. However, it is proven that Stieber did not order the arrest of Asch. From the relevant files of the police-Prasidium, the Court has come to the conclusion that the arrest of both persons was carried out upon presentation and thus with the authorization of Stieber's superiors, and that even with their authorization, the entire matter remained in place and was not handed back to the public prosecutor's office, meaning that the arrest was not unlawful towards Stieber. Nor is this proven with

regard to the alleged coercion to pay the 200 Thlr. and to authorize their disposition for Wallner, since only the testimony of Wagner speaks for this assertion of the prosecution, who also cannot be considered a credible witness, since he has been punished for embezzlement and removed from office at Stieber's request. "

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26. Stieber before the Court of Appeal.

Stieber went to Kissingen in June 1860 to recover from the strain of defending himself against the charges brought by the Chief Public Prosecutor before the Berlin City Court. While he was there, the public prosecutor Count zur Lippe appealed against the acquittal of Stieber and Tichy before the Court of Appeal on the instructions of the Chief Public Prosecutor.

Considering the course of the trial against Stieber in the first instance and the City Court's decision acquitting him completely on all points, the Chief Public Prosecutor's efforts to defend the accusations against Stieber anew before the Court of Appeal seem strange. Given the miserable collapse of the evidence he had painstakingly gathered for his accusations at the city court hearings, did the Chief Public Prosecutor not have to tell himself that his appeal against the first verdict would have absolutely no chance of success? Schwarck was certainly aware of this, and he also documented this awareness later during the hearing before the Court of Appeal by treating the three charges against Stieber quite incidentally in his long plaintiff's speech and mainly illuminating the system of the Berlin police under Hinckeldey in general, of which he portrayed Stieber as the main proponent, in glaring colours and mentioning numerous cases of alleged violations of the law by Director Stieber that were not even brought to trial and whose accuracy could not be subjected to scrutiny. As a result, Schwarck appealed against the first-instance judgment in order to obtain the opportunity to justify his actions against Stieber before the Court of Appeal and public opinion, in order to prove that, even if he had not succeeded in bringing about the conviction of Director Stieber for formal legal reasons, his actions had been dictated by a public, moral interest. The trial before the Court of Appeal was intended to serve his purpose of morally branding the defendant Stieber in the eyes of public opinion.

However, in order to bring about a criminal conviction of Stieber to imprisonment for misconduct in office, Schwarck again brought up the matter of the regulation of officers' debts, which he had been forced to drop in February of the same year in consideration of King Frederick William IV, who had been directly involved. The ailing king was approaching his dissolution, and it was to be assumed that he would never again be able to stand in for Stieber, who had taken over and carried out these debt settlements on behalf of the king. Schwarck proceeded on the assumption that only verbal instructions concerning this matter had been given to Stieber by the King, and that no official instructions relating to it existed.

Schwarck therefore prompted the First Public Prosecutor at the City Court, Count zur Lippe, to reopen the preliminary investigation against Stieber for criminally coercing the merchant Pfüller to hand over a bill of exchange accepted by Lieutenant v. Koschembahr to him in return for a settlement that did not reach the nominal amount of the bill of exchange. The preliminary investigation was reopened, and on August 5, 1860, the public prosecutor Count zur Lippe brought charges against Stieber on the basis of the facts established in the preliminary investigation. The hearing in this new trial against Stieber took place later, on February 11, 1861, as the city court did not want to hear the new case until the charges pending against Stieber had been finally decided.

In the meantime, the court of appeal had received the notice of appeal from the public prosecutor in the old indictment case and then the reply from Stieber, whereupon the hearing was scheduled for November 20, 1860. The hearing in the second instance also took place on this day. The court consisted of the Chamber Court Councilor Gutschmidt as chairman, v. Henschel, Vogel, Hoppe and Jacobi as assessors. The public prosecutor's office was represented by senior public prosecutor Schwarck. The defendants appeared in person, Tichy was assisted by a defence counsel.

After the presentation on the course of the trial to date, combined with a hearing of evidence on the credibility of the witness Fürstenberg, Chief Public Prosecutor Schwarck took the floor for his 3½ hour-long advocacy, from which we would like to highlight the more essential sentences in the wording. Schwarck's advocacy is divided into two main parts. In the first part, he attacks the unlawful arrests and deprivations of liberty by the

criminal police, and in the second part, he attacks the judicial activity of the criminal police.

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27. Schwarch's advocacy: The unlawful deprivation of liberty by the criminal police.

"At the earlier hearing of the case, Mr. Stieber called my proceedings tendentious. I recognize this as correct in a certain sense. In order to explain this in more detail, I would like to say a few words about the origins and reasons for the current investigations.

"When I took office in 1853, the law for the protection of personal freedom, insofar as it concerned the activities of the criminal police and their dealings with the public prosecutor and the courts, was a dead letter for Berlin. None of these provisions of the law of February 12, 1850 were complied with. I considered it one of my next and most important tasks to ensure that this law was respected. Even in the form of the arrests, the provisions of the law were completely disregarded. The persons arrested by the police were brought before the examining magistrate and questioned by him. This completed the judicial arrest. The public prosecutor was completely bypassed, an application for judicial arrest was neither required nor made by him, a judicial arrest order was not issued. Precisely this double examination of police arrests by the public prosecutor and by the judge, the necessity of fixing the result of the same in a written application, a written decision, seemed to me one of the cardinal points of the whole law. (Schwarck then describes in an eloquent tone his futile negotiations with Hinckeldey to remedy this grievance and his eventual agreement to maintain it, about which we have already reported in detail above).

"Mr. v. Hinckeldey lent his name and overpowering influence to these monstrosities. But it was Mr. Stieber who stood behind the scenes and incited him. The form was saved. But the material provisions of the law for the protection of personal freedom were continually and grossly violated. Section 2 of the law stipulates that outside the case of an apprehension in the act, a police arrest may only take place if a) there are urgent grounds for suspicion of criminality against a particular person and b) the accused is also strongly suspected of flight. As for the first reason, you have to see it to

believe it, on how careless and even frivolous grounds of suspicion police arrests have often been made.

"I will cite just one example from the rich selection of cases of this kind collected in these files. An apprentice clerk is instructed to send a not insignificant sum of money by post for shipment abroad. After he has already handed over the letter, money and declaration to the forwarding official, everything is returned to him because the latter is not in order. He hurries to the nearest counter he knows, completes the missing items and returns to the post office. Only here does he realize that the money is missing. When he asks whether he might have left it on the counter by mistake, the postman replies in the negative. He remembers a person of unpromising appearance who was standing next to him and may have taken the money he had left behind. He is able to describe his appearance accurately. He immediately goes to the police station, reports his accident and asks them to help him recover the money. The police officer noticed that he was telling his story in a quiet tone and arrested him as a suspect of embezzlement. Of course, he had to be released after a few days.

The fact that a second circumstance, the flight risk, must be added to justify a police arrest has been completely ignored by the police for years. My repeated references to this went unheeded. My instructions to the public prosecutor to cancel any arrest made by the police without further ado unless the flight risk was certified went unheeded. Finally the police convinced themselves that they could not ignore this requirement, but not until they had found a loophole through which they could circumvent it in the most convenient way. From then on, it was regularly cited as a reason for suspected flight: "To be expelled." I argued in vain that these words attested precisely the opposite of the suspicion of flight, since the person who had to be expelled did not want to leave the place voluntarily. In vain I pointed out that an arrest for this reason actually only meant that the criminal investigation department of the police chief wanted to prevent another department of the same authority from complicating the investigation by expelling the accused. This was the end of the matter. First the police made the arrest, then they decreed that he should be deported, thereby creating grounds for suspicion of flight, and thus the arrest was justified.

"When the conditions laid down by the law for provisional arrest were taken no less than strictly, another reason for arrest was frequently applied,

of which the law knew nothing at all, namely the prevention of obscuring the truth.

"Individual facts may also speak here. - A certain Balafré reported to the criminal police that a certain Walter had taken 8 thalers from him while he was gambling and denounced him for theft. Walter admitted the fact to the police, but excused it by saying that he had suspected Balafré of gambling falsely, without being able to cite any specific facts. Balafré was then summoned, told that he was a gambler, and taken to the police station without further ado, where he had to sit until noon the following day, when he was released without further questioning or trial. The police officer, called to account for this, explained that Balafré had proposed another witness for his denunciation, who had failed to appear that day and was to be questioned the following day. He had now intended to prevent Balafré from colluding with this witness by arresting him. After questioning the witness, he had been released immediately.

A merchant named Rudolph Weitz had concluded a grain supply contract with a merchant named Schmidt from Görlitz. He failed to deliver and the creditor turned to the criminal investigation department. The police called the failure to fulfill a delivery contract a fraudulent bankruptcy and arrested Weitz without further ado, who was held in police custody from November 28 to December 4. His father had rushed over from Poznan and arranged the matter with the creditor. This immediately eliminated any suspicion of a fraudulent bankruptcy and Weitz was released. However, a younger brother of Weitz, whose first name was Moritz, was still staying at his house. He was also arrested, although he was in no way involved in his brother's business. He was imprisoned from November 28 to December 1. On the relevant arrest report, the police officer notes: "Weitz was staying with his brother Rudolph Weitz, the latter was suspected of having committed fraudulent bankruptcy, which is why Moritz Weitz was arrested during the investigations. He was released at the end of the investigation.

"A Jewish couple was arrested for usury. When, after six weeks of investigation, there was still no evidence against the wife, who was also arrested, the examining magistrate decided to release her and at the end submitted the proceedings to the public prosecutor for an explanation. The latter first asked the investigating police officers to explain the reasons for the wife's arrest, and the latter explained quite impartially: he had feared that

the wife would abuse her freedom to collude with the husband's debtors, so he had preferred to take her away immediately.

"Furthermore, § 4 of the Law for the Protection of Personal Liberty stipulates that every person provisionally arrested shall either be released or brought before the public prosecutor within the following day at the latest. It was this provision in particular which, as I mentioned earlier, had aroused Mr. Stieber's displeasure. As a matter of principle, it has never been observed. Mr. Stieber himself acknowledged in the earlier hearings that political suspects had been in police custody for weeks, even months, and then released again without even being questioned by the judge. (A voice from the audience: "For me it was eight weeks“. The caller was Mr. Hauptner, who had been in police custody for eight weeks in February and March 1856 on suspicion of participating in the Techen despatch betrayal).

"If, of course, he adds, as the public papers report, that this was done with my foreknowledge, or as the records included in the files state, that the Minister of Justice and I ordered these arrests, then I declare and am authorized to declare that both the one and the other are a gross falsehood. - In 1856, the Court of Appeal had a compilation made of all those cases in which the statutory period was not observed by the police. For the eight months from July 1855 to February 1856, it shows 887 such cases, including 60 cases in which the police detention lasted between 1 and 2 weeks, ten in which it lasted between 2 and 3 weeks, nine in which it lasted between 3-4 weeks and one in which it lasted more than 4 weeks. - No further action was taken on the case because Mr. v. Hinckeldey had died in the meantime. According to a file in the records of the President of the College, the Chief of Police had promised to issue orders to put an end to the reprehensible excesses. How did Mr. von Zedlitz fulfil this promise? Facts may also speak to this. Mr. Stieber stated in the preliminary investigation that the relevant legal provision had always been interpreted by the police headquarters in such a way that the day of the arrest itself was not counted, the following day was therefore regarded as the first, the second day as the next, and so on. As a result of this bold and astute interpretation, Mr. Stieber had doubled the legal time limit for presentation from the outset and for all matters.

"But all this was basically just grey theory. In practice, as little attention was paid to this doubled time limit as to the simple time limit granted by the

clear law, which could not be misunderstood, but the police detention was continued for as long as one wanted, even if the reasons for this lay elsewhere than in the matter itself.

"Here, too, one example will suffice. On April 7, 1857, a young man who had become somewhat famous for his bottomless profligacy was arrested by the police for forging bills of exchange. He immediately acknowledged that he had put the name of the drawer under a bill of exchange he had accepted for 400 Friedrichs d'ors, but objected that he had had no profit-seeking intention in doing so, an objection which, incidentally, was confirmed in the preliminary investigation and resulted in the proceedings being dropped. Nothing stood in the way of his presentation. However, the police officer in question entered into negotiations with the very wealthy mother of the accused in the interests of the bill holder. He told her that her son was to be investigated for forgery and would be sent to prison. It was still up to her to prevent this by satisfying the bill creditor. In that case, he would not take any notice of the matter and let him go. The mother could not make up her mind immediately and asked for a postponement. This was granted. She now summoned her wealthy son-in-law, who lived in Lusatia. He replied to the official's suggestions that if his brother-in-law had acted against the law, he would have to suffer the punishment for it; he, the official, was acting contrary to his duty if he wanted to allow his brother-in-law to avoid punishment. The accused was now brought before the public prosecutor after having been in police custody from April 7 to 13. And this was not done secretly and furtively. The accused had been allowed to stay in the office rooms of the criminal police officers during the day as a favour. Here, anyone who wanted to could take note of his presence and the unlawfully extended police detention. Indeed, Mr. von Zedlitz was officially informed of the whole matter by the accused's brother-in-law and did not take the slightest steps to ensure that everything was in order, as if everything was in the best of order.

"Such abuses need to be remedied. As long as Mr. v. Hinckeldey was alive, a direct remedy was out of the question, for reasons I neither want to nor can discuss here. I had to confine myself to trying to influence the public prosecutor to mitigate and soften the consequences of the injustices committed by examining the police arrests as carefully as possible. Unfortunately, nothing could be achieved here either. Mr. Nörner preferred to go through thick and thin with his friend Stieber. "

The defendant Stieber jumps up and says: "I must ask the President to put a stop to these continual insults against me. Before the opening of the proceedings, the President expressed the expectation that everything personal would be excluded, but the Chief Public Prosecutor has nevertheless led the proceedings into an area where I cannot follow him. He has already repeatedly accused me of gross lies and now claims again that Mr. Nörner has gone through thick and thin with me. I ask you to protect me against such things. The only question here is: Have I committed a criminal offense? The Chief Public Prosecutor has not said a word about this. I must ask that you put an end to these proceedings. "

The President replied that his hope that personal attacks would be avoided had unfortunately not been fulfilled. The court was not the superior authority of the Chief Public Prosecutor and therefore could not dictate to him. On the other hand, he had to advise him to avoid personal attacks as much as possible, as the defendant could complain about them. The court had no authority to prohibit the Chief Public Prosecutor from digressing.

The Chief Public Prosecutor continues: "After the death of Mr. v. Hinckeldey, I initially gave myself up to the hope that the police would return to the legal course. It turned out that there had been a change in the people, but not in the system. Mr. Stieber, who was the sponsor, if not the creator of this system, was and remained at the head of the criminal investigation department. I now wanted to see if I could directly influence a more lawful handling of the criminal police. In 1857, in a detailed discussion, I drew the attention of the President of the Police to various shortcomings in the criminal investigation department and made suggestions for remedial action. They went unheeded. I now tried a different approach. I brought individual cases of unlawfulness to the attention of the President of the Police and pressed for remedial action. At first the replies were polite, my complaints were acknowledged and remedial action was promised. But then they seemed to get fed up with the matter.

"It was felt that I was taking the law far too literally, and that artificial interpretations were being used to imply things that had not been intended. In a letter dated March 3, 1859, the police president stated: "I cannot conceal from you that the criminal police officers are disheartened by these continuous attacks against them on the part of the chief public prosecutor's office in a way that has already had very detrimental consequences for the security of the residence. "

"This accusation, coming from a man of the exceptional personal standing of the local police chief, sounded almost like a threat. I was not intimidated by it. I continued to report the excesses of the criminal investigation department to the police president and to press for remedial action; now they became unpleasant, rejected my complaints as unfounded, called them unjustified criticism of the police officers, repeated the accusation that I was making the residence unsafe, and also made this accusation to another higher authority.

"At this point I must refer to some statements made by Mr. Stieber in the earlier hearing, which the reports in the public papers have reproduced and disseminated with great detail and obvious preference. Mr. Stieber does not deny that gross excesses were committed by the police. But he washes his hands in innocence. He presents himself as a reluctant and deplorable tool of violent and lawless superiors, and shifts all responsibility onto the officials of the judiciary, and from them again onto me alone. My bad conduct in office was to blame for the whole police economy. I knew about everything, kept silent about everything, approved of everything. He did not deign to describe me as the true and actual bearer of the Hinckeldey system. Who would not think of the poetry of Reinecke Fuchs*, which Mr. Stieber must have read with obvious benefit? For no one knew so well as this honourable allegorical personality how to burn himself white at the expense of others.

* Reinecke Fuchs - Since the Middle Ages, the fable of the fox and the cunning way in which he overcomes his enemies was rewritten and adapted many times. It was further developed in the famous Low German folk poem Reynke de vos (Reynard the Fox), published anonymously in Lübeck in 1498. This was Goethe's model for his fable of 1794.

The story was originally a parody of courtly society, and a satirical mirror held up to the prince. Goethe turned it into a "mirror of the court and the regent", revealing human weaknesses and vices. Reineke is transformed from the evil villain to the mischievous buffoon.

Mr. Stieber does not know, or does not want to know, that the supervision of the local police authorities in the exercise of the criminal police is the responsibility of the public prosecutor, not the chief public prosecutor. The latter is not even in a position to exercise it successfully, since only the smallest part of the cases come to his knowledge through complaints, appeals or otherwise, while 3/10 of all cases do not reach him at all and are definitely

withheld from his knowledge. The Chief Public Prosecutor has only to supervise the Public Prosecutor subordinate to him in the exercise of these and his other duties, and I have done this dutifully, but with little, or more correctly, with no success at all. Only when I became convinced that the public prosecutor could not or would not fulfill his duty did I take matters into my own hands, beyond the limits of my duty but not my right, as far as this could be done from here. Mr. Stieber could therefore perhaps have directed his accusations with some semblance of justice to his friend, the public prosecutor Nörner, who was put at his disposal.

"But then I ask Mr. Stieber: how does he intend to reconcile the accusations he boldly hurled at me with the other accusation of his boss, "that by my constant attacks on the officers of the criminal investigation department I have disheartened them and endangered the security of the residence?" He cannot excuse himself for being unaware of this accusation, because the letter which makes it was written by him. And should Mr. Stieber have completely forgotten at whose instigation he was called to account in 1857 for his notorious coup d'état against the so-called Prince Leo of Armenia, a trial that is unparalleled in its arbitrariness and violence? A seemingly harmless stranger, who had attracted the attention of the police with his somewhat adventurous-sounding title, is suddenly arrested and sent to the workhouse. His head and beard are shaved off and he is made to do hard labor at Stieber's written order. The next day, a glowing report appeared in all the newspapers about the arrest and Stieber's merits in exposing this great swindler and fraudster. The report was a fraud, its author a great swindler. The fraudster was arrested, but the fraud is still to be discovered today. To this end, all levers were set in motion. At the expense of the secret fund, agents were even sent to London, Brussels and Paris, where the arrested man had been staying in turn. To no avail. In the end, they wanted to settle for him being tried for using a false name, title or order. The public prosecutor had to refuse. Now there was no choice. After a hundred days of imprisonment and maltreatment, the unfortunate man was quietly taken across the border at night and the pompous newspaper reports fell silent. It was fortunate for Mr. Stieber that Mr. von Hinckeldey was already a dead man and a patient scapegoat on whom the main blame could be rolled. Otherwise he would have had to answer to the jury and would not have gotten away with a disciplinary reprimand. His friend, the public prosecutor Nörner, was aware of the matter on record and remained silent. But no, he did not remain silent, he helped with the unprecedented proceedings! As an

official tool of the police, he violated the secrecy of correspondence, at Stieber's request and under the false pretense that the arrested man was being investigated for fraud, he took possession of his correspondence in the mail and played it into the hands of the police. Does Mr. Stieber perhaps also want to hold me responsible for this excess mentioned behind my back? Or does he count the steps I have taken to bring the perpetrator to justice among the continuous attacks by which I have disheartened the officers of the criminal investigation department and endangered the security of the residence?

" Finally I ask him: by what right does he accuse me to be branded in public opinion of being the actual bearer of the Hinckeldey system? Me, whom successively Mr. von Hinckeldey and his successor in office have directly accused of endangering the security of the residence, merely because I insisted on honest prosecution of the law, me, who struggled in vain in years of hopeless struggle against this hopeless, truly anarchic system?

"After almost 1½ years of fruitless and unpleasant correspondence with the Police President had led to this point, I had to convince myself that nothing could be achieved in this way. I therefore tried another. I brought further cases of excesses to the attention of the Minister of the Interior. Here I found a more sympathetic reception. The Minister recognized my complaint as well-founded and recommended that the Police Headquarters observe the law for the protection of personal freedom more carefully. But he did even more. He ordered that the arrests should be ordered by written decrees in which the reasons were to be specifically discussed. How was this very commendable and expedient institution carried out? Facts may also speak to this.

A distiller thought he noticed that his daily takings had been too low recently. He therefore suspected his barmaid of theft. At his instigation, her belongings were searched and 13 thalers were found in her chest of drawers, stored in various places, including a crumpled thaler's bill. She was then arrested for theft and only released after three weeks, when she was able to prove that she had acquired the money honestly. And what did Mr. Stieber cite as the reason for suspicion in the arrest report? "Caught in flagrante delicto!" When called to account for this, he was only able to claim an oversight. - At present, these dispositions have already been lithographed: The grounds for arrest are listed as follows: "Is seized in the act", "Is suspected of flight", "Shall be deported". One or other of these

grounds is then crossed out, the others remain, the name of the arrested person is indented, and thus the minister's instructions are satisfied. Such a way of carrying out that very well-considered measure of the superior administrative chief not only had to miss the purpose completely, but almost looked like a mockery of it.

"After all this, I could no longer deny myself the conviction that only one means remained to enforce the law: the initiation of legal prosecutions in appropriate cases. The officials concerned, however highly placed they might be, had to be made aware that they too were subject to the law and that, if necessary, the public prosecutor was there for them. I made a presentation to the head of the judiciary about the situation and received specific instructions to proceed ruthlessly in appropriate cases for misconduct in office. However, the task was not easy. The violation of the laws in question is not in itself punishable by criminal penalties. This also applies in particular to unlawful arrests. The offense of § 317 of the Criminal Code includes intentional unlawful arrest. The person acting must have been aware of the unlawfulness of his actions and not have failed to act out of rashness, carelessness or ignorance. The accusation must therefore prove an inner state of mind, which only very rarely manifests itself through external facts.

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28. Schwarck's advocacy: The judicial activity of the criminal police.

"I could only expect a result in one direction from the initiation of legal proceedings:

"It has been a public secret in Berlin for a number of years that criminal police officers interfere in private legal disputes in order to help those who turn to them for assistance by abusing their official authority. The investigations carried out during the past winter have fully confirmed these rumours. Of course, the police procedure always took place under a criminal law. If a creditor called the police for help against his debtor, the popular charges were regularly fraud, embezzlement and, if nothing else would fit, fraudulent banker's deception. If a creditor complained that his debtor was trying to evade his debt, he was arrested for fraudulent banker's goods, and if he was a shoemaker, tailor or baker, the settlement proceedings

began. If a settlement was reached, he was released and the following was noted on the arrest report: "Has settled and satisfied the informer." If, on the other hand, the arrestee remained in custody and did not agree to anything, he was also released and noted on the arrest report: "The suspicion has not been confirmed." In addition to the arrest, the person concerned also had the very considerable permanent disadvantage that this report was added to his record, and if it was later necessary to establish his reputation on any occasion, it was then noted from the files: "Has been arrested for fraudulent banker's goods etc." - whereby he was then labelled as disreputable and unreliable. If a debtor sought the help of the police against his creditor, usury was the regular title under which it was granted. The first step was to demand the creditor's bill of exchange. If he refused, a search was carried out, the papers seized and the bill of exchange taken away. If the bill was not available and the person concerned refused to name the current holder, he was probably ordered to do so by putting him under arrest. If the police had taken possession of the bill of exchange, the holder was taken to the police office, where he usually had to wait for 3 - 4 hours or longer in the waiting room among all sorts of riff-raff, and then they began to negotiate percentages with him. If he had acquired the bill, which was of course the regular case, and if it was from third or fourth hand, below the nominal value, he was accused of having committed usury. Under such circumstances, and since he was no longer in possession of the bill of exchange, the agreement came about regularly. - But this procedure was not confined to individual debts; whole lists of debts with twenty or more creditors were settled under official forms by a criminal commissioner, to whom the debtor could turn at will. - As widespread as this rumour was, as often as it came to my ears, I was for a long time unable to discover any specific facts that would have confirmed it. An event which I experienced myself convinced me that the rumour was well founded.

"Some time ago a music teacher S. contacted me and told me the following: He had planned a joint theatre venture with a lady and had received 1500 thalers from her for this purpose. However, the matter had fallen through. Because of the dispute regarding the paid-in capital of 1500 thalers, an agreement had been concluded between them before a notary and witnesses, according to which the lady had left him the capital as a loan against 5 percent interest and instalment payments. After he had punctually met several of the specified terminal payments, it had suddenly occurred to

the lady to demand immediate repayment of the entire remainder from him. Since he refused, she denounced him to the criminal police for embezzlement, and he had been there the day before with his creditor. Here he had been asked to pay and, as he had repeatedly refused to do so, he had been placed under investigation on that day. He had every reason to fear that this search would begin with his arrest and was seeking my protection. I gave him a letter to the criminal police in which I asked them, in the event that this arrest should take place, to hand over the files to me within 24 hours in accordance with § 4 of the law of February 12, 1850, as I would take the matter to myself. After reading my letter, the criminal police officer threw it indignantly under the table, but then entered into consultation with one of his colleagues, the result of which was that S. had to resign, was detained in police custody until 7 o'clock in the evening and then released, without any further mention being made of the intended investigation. - That same day in the afternoon, the informer came to my apartment accompanied by Detective Inspector R.. She tried to convince me that S. had been guilty of embezzlement against her. I told her, however, that I was convinced that an investigation could have no result. She replied that she was not at all interested in punishing S., she just wanted to get her money back quickly. In response to my reply that, if that was her intention, she could bring civil proceedings, she said that would be going too far. When, on the other hand, I argued that an investigation could not possibly lead to a quicker resolution, since it would never decide on the civil point, and that she could only ever reclaim her money in civil proceedings, she replied: "If S. is only arrested and sees that they are serious, he will, I am convinced, pay immediately." I then informed her that an arrest on such grounds and for such a purpose would not only be inadmissible, but even punishable, and dismissed her. The detective inspector had apparently come along as her counsel, without, however, to my recollection, interfering much in the conversation.

"The police state was in full bloom at the time. The government was not allowed to permit the judicial prosecution of a police officer, as this would have shaken the belief in the infallibility and omnipotence of the police, and thus the foundation of its system. The public prosecutor, however, is not an independent official who is bound by his convictions and his conscience, like the judge, he is an organ of the government that is dependent on the government and bound by its orders. But if they relied on the fact that this would always remain so,

they have miscalculated and must bear the consequences of their miscalculation.

"In 1858 the system of the police state was abandoned and the rule of law was written into the government's program, and with it the de facto impunity granted to police officers was abandoned. The courts are now faced with the question of whether the irresponsibility of police officers should be brought before the courts or, in other words, whether the police state should continue or not. If the public prosecutor does not find the support from the courts that he believes he is entitled to expect in the circumstances of the case, he will probably be careful in the future not to provoke conflicts through fruitless prosecutions that endanger public interests in other directions and only serve to strengthen the police officers in the awareness of their unassailability and make the evil worse."

After the Chief Public Prosecutor had then dealt with the evidence for the individual charges, he concluded his plea with the request that the defendant Tichy be sentenced to two months in prison and the defendant Stieber to one year in prison and to be barred from holding public office for an additional one year.

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29. Stieber's defence speech and the judgment of the Court of Appeal.

After the defence counsel for the defendant Tichy had requested his acquittal, Stieber began his defence speech.

In it, Stieber first specifically examined the charges and, after sharply castigating the way in which the Chief Public Prosecutor had conducted the investigation against him and constructed the charges, then addressed the general accusations that Schwarck had made against the exceptional position of the police under the previous ministry. "However, the police officers were not completely clear about the limits of their rights and duties. This was the fault of historical circumstances, but especially of the judiciary itself. In 1848, a revolution threatened the crown, and the police provided important services in combating it. At that time, the public prosecutor's office also came into political conflict with the government and was staffed by men who did not agree with the system of government at the time. The former Berlin public prosecutor Temme is still abroad today as a

political refugee, and the former public prosecutor Kirchmann was persecuted by Mr. Schwarck, just as I am now. Schwarck opened his career with these persecutions and recommended himself to the Manteuffel-Hinckeldey ministry as a willing senior public prosecutor for Berlin. Two assassination attempts against the head of state took place in the city, one of which was bloody. It is obvious that all these circumstances must have had the effect of provoking an increased license of the police from above, especially if they were efficient and energetic. Moreover, the public prosecutor's office was a new institution for which all experience was lacking; the constitution was still young and had often been amended. The Hinckeldey Regiment finally emerged from a state of siege. Of course, a specific legal status only emerged gradually. It took years to consolidate the relevant organic laws.

"But the police efficiency was by no means as great as Mr. Schwarck made it out to be. He painted a truly gruesome picture and wanted to defend himself against the imputation that he was the bearer of this system. Well, didn't the courts exist at that time which he could appeal to? Was he not the chief public prosecutor who had the duty to watch over this? If he pretends here, in order to cover up his passivity, that he did not dare to do so at that time, well, he has confessedly done the same thing that he is now accusing me of criminal conduct for doing, he has submitted to the system, just as I did. If he, the judicial officer, was forced to do this, then I, the executive police officer, who was obliged to blind obedience, can be blamed for it all the less. If the mess, which he confessed to having seen, was so bad, he would not have had a shred of honour in his body if he had not rather taken his leave as soon as he lacked the means to fulfill his office honourably. So I repeat my assertion: Mr. Schwarck was the main supporter of the Hinckeldey system. Mr. Schwarck claims that he did not actually participate in this system himself. Now, isn't the same Chief Public Prosecutor Schwarck standing before me here, who earlier gave Public Prosecutor Nörner the official instruction that he was to subordinate himself unconditionally to the opinion of the police in all court cases, especially in the confiscation of newspapers? Mr. Nörner was instructed that even if he and the City Court disagreed with the police, the latter's opinion was to be implemented by way of appeal to the Court of Appeal. The late President Wentzel rightly stated in the Chamber that this procedure was completely unlawful, that it made the public prosecutor's office the organ

of the police and not the police the organ of the public prosecutor's office. That was indeed the case, for the press cases are the most important in the department concerned; not through my fault, however, but through higher responsibility. I can reproach Mr. Schwarck with a whole detailed list of such things."

Here the presiding judge interrupted the defendant Stieber with the remark that he regretted that the law did not give him the means to cut off the personal remarks that had been made by the Chief Public Prosecutor. But he had the right to do so towards the defendant, and he had to exercise it.

Stieber: "Mr. Schwarck has made gross insults and accusations against me and the police headquarters; he did not disdain to denigrate the dead Mr. v. Hinckeldey and Mr. v. Zedlitz, a generally recognized man of honour, and even his own public prosecutor, Mr. Nörner. Mr. Schwarck's statements contained distortions and falsehoods, which I can refute. It is hard that the public prosecutor can allow himself to do this under the protection of his position, but that I am cut off from defending myself against it."

The chairman regrets this disproportion, but stands by his opinion, especially as the court has already been sitting here for ten hours and the physical strength of the judges is exhausted.

Stieber therefore concluded the speech by expressing the expectation that the court would clearly recognize the tendency and purpose of the entire indictment and pronounce a just verdict.

The Court of Appeal confirmed the first acquittal by stating the reasons in its decision of November 23, 1860:

The Court had, of course, only subjected the cases that had reached the second instance to its judgment, but not the alleged abuses by the local police mentioned by the Chief Public Prosecutor's Office. If there were other cases than those on trial, it would have to be left to the public prosecutor's office to bring special charges for them.

As far as the Wisocky case is concerned, both defendants are entitled to the defence's plea of the statute of limitations. Apart from this prejudicial point, however, which alone justifies acquittal with regard to this part of the indictment, the evidence was not provided in the case itself. It had not been proven that Tichy had coerced Wisocky into an act, and the new evidence presented by the public prosecutor could not lead to this result either. It had

not been remotely proven that the defendant Tichy had caused the arrest of Wisocky, and also in his further actions an offense could not be assumed as proven, because neither Wisocky himself, nor the only direct witnesses to the charges - former police officer Krüger - could be considered credible. Wysocky had been personally known to the court a year ago and had also been punished by the court for embezzlement with disbarment. His credibility could not be restored by the restoration of his honorary rights by way of clemency.

Nor could it be assumed that Tichy was aware of the unlawfulness of his proceedings: firstly, because even two courts of law were of a different opinion regarding the punishability of Wisocky's actions, and secondly, because for years it had been the practice of the Royal Police Headquarters to settle denunciations by means of settlements between the parties. With Tichy's offense, however, the alleged participation of the co-defendant Stieber fell by itself.

With regard to the second Wisocky case, in which Stieber is said to have induced Wisocky to retract the denunciation against Gerson by means of threats, the evidence could also not be regarded as established because of Wisocky's implausibility, as already explained.

In the Goldberg case, the public prosecutor's office initially brought charges under § 317 of the Criminal Code for the unlawful arrest of Goldberg and Fürstenberg and claimed that the suspension of these two persons as a provisional arrest within the meaning of the alleged § 317 had been carried out unlawfully and with intent. It could be left open whether the arrest should be regarded as a provisional arrest, because it would not matter if it had been unlawful. However, the Court assumes that the suspension of Goldberg and Fürstenberg was entirely justified. In view of the fact that Goldberg ceded his credit balance with Schragow to Fürstenberg three days before the latter was able to liquidate his significant counterclaims, that he did not own other assets from which he could have satisfied Schragow, that Fürstenberg paid him only Thlr. 400 for the ceded Thlr. 4400 and issued a disposition bill for Thlr. 4000; that also with regard to those Thlr. 400, both witnesses would have had to admit that they were not actually been paid, but had been compensated with a loan allegedly given earlier by Goldberg to Fürstenberg, and even the real existence of this loan was at least doubtful after the omissions of both, - that after all this the suspicion of a simulation of the cession was very probable, but Goldberg had denied it on oath in the

Fürstenberg case against Schragow, - in view of this, the defendant Stieber could very well have considered himself authorized to intervene by the police in order to investigate a crime that had probably already been committed and to prevent another one. The suspension of Goldberg and Fürstenberg was therefore not unlawful and in particular not intentionally unlawful.

In Goldberg's case, however, the prosecution also found a second offense by police director Stieber, insofar as he is said to have violated § 315 of the penal code by coercing Goldberg and Fürstenberg into the settlement with Schragow through his official activities. They had also failed to provide proof of this. Goldberg and Fürstenberg could not be considered credible witnesses under the present circumstances, and the fact that, even before his hearing as a witness in the Fürstenberg case against Schragow (for payment of the ceded claim), the fact that Goldberg had already made settlement offers to the latter before his hearing as a witness in the Fürstenberg case speaks against the alleged coercion made, he had even more reason to do so after the matter came to the attention of the police.

Afterwards, as happened, it was clear overall that both defendants had been acquitted.

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30. Stieber's fight against Simons and Schwarck; the betrayal of the dispatch; Gerlach's newsletter, Harry von Arnim.

Two days after the end of the trial at the Court of Appeal, a sensational publication by Stieber appeared in several Berlin newspapers under the title "Forced Justification". It read as follows:

"In the trial which has been pending against the Criminal-Commissaire Tichy and myself, I have seen myself compelled to state in the hearing of the first instance in defence of my rights that cases have occurred where, with the foreknowledge of the Chief State Attorney Schwarck and the Minister of Justice Simons, politically suspicious persons have been held in police custody for weeks, even months, without a judicial order having been issued or even obtained, without the detainees having been questioned by the judge. The Chief State Attorney Schwarck publicly declared in the hearing of the second instance that these allegations of mine, insofar as they concern him,

contain gross falsehoods, and that he is also authorized to accuse me of lying with regard to the Minister of Justice. This statement has also been published in all the public papers, without my having had the opportunity to justify myself against it in court after the trial. I am therefore forced, as deeply as I regret having to evoke a battle whose consequences cannot be foreseen, to make the following facts known through the press:

(The following is an excerpted reproduction of the official correspondence between the Police Headquarters and the Minister of Justice Simons during the months of February and March 1856, concerning the Techen, Hauptner and Heufelder spouses arrested by the police, as well as the official report by the Police Headquarters to Mr. Schwarck about the situation, which correspondence has been included verbatim above in the description of Techen's treachery).

"Mr. Chief Public Prosecutor Schwarck later continued the investigation against Techen for treason in my place, he knew everything that happened in the matter, he did not care at all about the detainees during the two-month police detention, as far as the police files reveal.

"According to this, it is indeed certain that four persons: Techen, the H. spouses and Heufelder, served two months in police custody on suspicion of political offenses, Heufelder from January 30 to February 25 and the H. spouses from January 30 to March 29, 1856. The man who, during Mr. Schwarck's speech before the Court of Appeal, called out to him from the auditorium: 'I was detained for eight weeks', was none other than the merchant H. Schwarck.

"I have had the originals of this correspondence on file in the hands of Police President von Zedlitz and Privy Clerk Friedrich for some time. I have certified copies of these myself. I hereby publicly call Baron von Zedlitz, President of the Police, as witness to the truthfulness of all my above statements.

"If Mr. Chief Public Prosecutor Schwarck labelled me on the 21st of this month before the assembled Court of Appeal, indeed before the whole country, in his name and that of Mr. Simon, Minister of Justice, as a liar, I now ask:

"Who is to blame for this accusation and for the unlawfulness of the police?

"Mr. Schwarck's speech, in which he made the grossest accusations against a number of persons and authorities, has made a deep impression on the whole world, because everyone, trusting in the authority from which these accusations were boldly made, must take them for pure, undoubted truth. From the evidence I have given about the extremely important case discussed above, it will be possible to judge how things stand with Mr. Schwarck's statements. As soon as I have procured some of the material I am currently lacking, I will bring this information back to its true value.

"After the Chief Public Prosecutor Schwarck has publicly challenged me, it must be urgent for me to bring about a precise investigation of my statements; however, I find myself embarrassed in this respect, as there is nobody in our state constitution to which I can appeal with accusations against the conduct of the Minister of Justice and the Chief Public Prosecutor. There is no law on the responsibility of ministers, the chambers are not currently convened, and I cannot possibly accuse the Chief Public Prosecutor to his subordinate, the Deputy Public Prosecutor, and if I wanted to take this route myself, where would the appeal be?

"Accordingly, in the next few days, as soon as the necessary copies have been made, I will address a fully substantiated denunciation to the President of the Ministry of State, His Highness, the Prince of Hohenzollern. Should I be questioned on oath accordingly, I will reveal the motives behind the entire matter raised in more detail than is possible here, and will also raise a number of other charges.

"I confidently hope that under a Prince of Hohenzollern strict justice will also be exercised against the head of the Prussian judiciary and the Chief Public Prosecutor of the Court of Appeal, as it has been exercised against me.

Dr. jur. Stieber,
Royal Police Director."

When Stieber published this "Forced Justification", he was well aware that after the publication of the same, in which he accused the Minister of Justice of the same criminal offense, but to an even greater extent, for which he himself had been put on trial, he could no longer remain in his position as head of the Berlin security police and would definitely be put up for dismissal. But he was equally aware that, after he had been arrested on the charges against him and had sat in the dock, he could in

no way resume his former position despite his acquittal, since the authority necessary in his position vis-à-vis the numerous officials subordinate to him, the criminal world and the general public had suffered as a result of the investigation and public discussions. Thus, after the Chamber Court hearing, Stieber was faced with the alternative of either accepting the public abuse and accusations levelled against him by Chief Public Prosecutor Schwarck in his advocacy, not justifying himself against them to public opinion and being transferred to an office in a distant corner of the province - or publicly oppose Schwarck's accusations, exposing himself and the head of the Prussian judicial administration to the public, to justify himself and therefore be put to trial. Stieber preferred the latter in the interest of his own honour and the honour of his family.

Incidentally, the language used by Stieber in his forced declaration was still very mild compared to the tone in which he expressed himself about his opponents Simons and Schwarck in his official correspondence and writings of justification. While the investigation against him was still pending in March 1860, he gave a characterization of Simons and Schwarck in a report to the Minister of the Interior, Count von Schwerin, including facts that had not yet become known, from which we would like to reproduce a few passages.

"If one applies," Stieber wrote to the Minister of the Interior, "to the proceedings of the Minister of Justice in the Techen case those laws with which the Chief Public Prosecutor Schwarck constantly threatens the police officers, then § 317 of the criminal law decrees: ""The punishment is imprisonment for up to 15 years if an intentional unlawful deprivation of liberty P 4-4 has lasted more than one month.""

"If the Chief Public Prosecutor is not to be regarded as a participant in the conduct of the Minister of Justice, he is at least to be accused of a gross breach of his official duties.

"If one wants to impose responsibility on the deceased Mr. v. Hinckeldey, then according to the deduction so often used by Mr. Schwarck against me, § 330 of the criminal law would have to be applied to the Minister of Justice, who is in any case one of the superiors of the police-president:

> ""A superior who knowingly tolerates a crime committed by his subordinate shall be sentenced to the penalty imposed for the crime

itself; at the same time, in all cases, he shall be declared ineligible for all public offices.""

"A few years ago, the Kreuzzeitung contained an article notoriously written by the President of the Court of Appeal, Mr. von Gerlach, about the marriage laws under the heading "Review", which contained gross violations of criminal law. The chief of police and the public prosecutor dutifully intervened, seized the newspaper and the public prosecutor brought charges. The court opened the case and withdrawal of the indictment was not permitted by law. As soon as the Minister of Justice learned of this, he apparently ordered the public prosecutor to withdraw the indictment out of personal consideration for his friend President von Gerlach. As evidence, I refer to the testimony of Mr. Nörner, the public prosecutor, and the relevant files.

"While Mr. Simons consistently persecuted the liberal press at the time, he gave the head of the reactionary press carte blanche to violate the law with impunity. Today, the situation seems to be reversed at times, especially in the case of attacks against the police, at least for Mr. Schwarck.

"Section 321 of the Criminal Code stipulates: ""An official who, by virtue of his office, has to cooperate in the exercise of criminal power shall be punished with imprisonment for up to five years if he fails to prosecute a punishable act with the intention of unlawfully depriving someone of legal punishment. ""

"A few years ago, the Legation Councillor Harr v. Arnim was guilty of a police conspiracy while riding in the Thiergarten. A police officer confronted him in accordance with his duty, but was struck in the face by the Legation Councillor with a riding whip. The incident was reported to the public prosecutor, who brought charges. Some time earlier in England, the court had sent the Duke of Sommerset, a relative of the Queen, to prison for six weeks for striking a constable in the face with a riding crop. The Prussian Minister of Justice, Mr. Simons, had a different opinion on this point. He ordered the public prosecutor, apparently out of purely personal considerations, to withdraw the charges immediately, as the matter would be dealt with disciplinary means, and as the police officer's department had been ordered to withdraw the denunciation!!!

"It is obvious to assume that Mr. Schwarck, by virtue of his position as Chief Public Prosecutor, was aware of all these measures and tolerated them.

"These are some examples of the way in which justice has been administered in Prussia by Mr. Simons and Mr. Schwarck, the same gentlemen who now want to stand on the strictest ground of unshakable law in order to drag the highest police officers of the country into the dock, and who want to make any deviation from the strict legal form a criminal offense for the police."

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31. Nörner and the Prince of Armenia.

Stieber's "Forced Justification" was followed two days later by a second public statement in the Berlin newspapers by the public prosecutor Nörner, who had been put at the disposal of the court, against the accusations and insults which the Chief Public Prosecutor had made against him (Nörner) in his advocacy with regard to the affair of the Prince of Armenia.

In this statement, Nörner first gave an account of the police proceedings against the adventurer and his involvement in these proceedings on the basis of the official material (as we have done above in far greater detail), from which it emerged as evidence that the alleged Prince was a swindler and crook who was dangerous to public safety and belonged to the class of impostors.

"It is an untrue assertion by Chief Public Prosecutor Schwarck," said Nörner in his statement, "that agents were sent to London and Paris in this matter at the expense of the secret fund. At the time in question, the Prussian police commissioners Bormann and Bork were in London to prosecute the robbery-murder of the widow Hirsch. Occasionally, letters were sent from here to these officials in order to use their stay there to investigate the Prince. The reports of the officials confirmed the circumstances mentioned above.

"It is untrue for Mr. Schwarck to claim that when the files against the Prince were finally presented to me, I should have refused to initiate an investigation. The Prince had obviously been convicted of using false titles, dignities and false decorations, as well as of insulting the officials whom he had accused of being bribed against him by the Emperor of Russia. In order to provide the legal evidence for this, however, extensive hearings would have had to be held in Paris, Brussels and London, which would have caused enormous costs to the Justice Fund. In the end, the result would have been

only a small prison sentence. In cases of this kind, the public prosecutors are expressly instructed by the Minister of Justice to refrain from prosecution for reasons of expediency, and for this reason alone I refused to bring the Prince to trial, especially as he had already been detained by the police for some time. I expressly stated this in my order. The proceedings thus ended with the expulsion of the prince, for whom no authority had ever intervened, which would certainly have been the case if he had not been an impostor.

"Whether the public prosecutor Schwarck was justified in describing the Prince of Armenia as a "harmless wanderer", I will confidently leave to public judgment.

"In order to put the proceedings of Chief Public Prosecutor Schwarck in the right light, however, I must emphasize the following surprising facts. On February 9, 1857, all of the files concerning the Prince of Armenia were forwarded to Chief Public Prosecutor Schwarck by the Minister of Justice in order to express his opinion as to whether an investigation against certain officials could be justified because of the proceedings observed against the Prince. Mr. Chief Public Prosecutor Schwarck may, of course, have no idea that I have become aware of the report he submitted to the Minister on March 26, 1857. In this report it is stated that after the death of Mr. v. Hinckeldey no investigation can be initiated against anyone. The following passages can be found in this report:

""My (Mr. Schwarck's) department is only affected here by the question - indicated in the report of the police president, Baron von Zedlitz - whether the public prosecutor of the municipal court had cause to take official notice of the police action against the pseudo-prince before the police president's notification on January 9, 1856. I can only deny this. The only requisition that had been made to the public prosecutor's office by that date concerned the confiscation of the arrested man's correspondence, a measure that was desirable to the police presidency but could not be brought about by it alone according to the known practice of the postal administration. (Cf. treatise in Goldtammer's Archiv “for Prussian criminal law”, vol. III. p. 86 ff.) This request, which I have the honour to enclose with the present report, contains nothing that could have entitled the public prosecutor to deal with the case and officially demand the presentation of the person detained by the police.

""The passive behaviour of the public prosecutor's office towards the police proceedings must therefore not be interpreted as a tacit approval of the latter. ""

"I hereby ask Chief Public Prosecutor Schwarck publicly whether he has submitted this report under No. IV. 1207 to the Minister of Justice, and whether the above-mentioned passages can be found in it? Furthermore, I hereby ask publicly whether Mr. Schwarck has ever said a word of disapproval about my proceedings against the Prince of Armenia in this report or otherwise?

"But if Mr. Schwarck's report is true, if you compare the above passages with his speech against Stieber and me, then I need no further justification against Mr. Schwarck's attacks.

Berlin, November 27, 1860.

Nörner

Royal First Public Prosecutor at the City Court (ret.)"

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32. Schwarck's appointment and the dismissal of Justice Minister Simons.

After Stieber and Nörner's public statements, the Prussian state government published the following manifesto about this scandalous affair in the official "Preussische Zeitung":

"The state government has endeavoured unceasingly to ensure that the law is respected and to bring the practice of administration into full conformity with the strict letter of the law.

"Every complaint that has been received by the superior authority against police abuses has been examined conscientiously and decided on the merits of the case. Some investigations into incidents that have been reported are currently underway. The public prosecutor's office has not at all been hindered in demanding that those police officers against whom it believes there were grounds for doing so be brought before the competent criminal judge.

"It must have been all the more disconcerting that the Chief Public Prosecutor, Mr. Schwarck, on the occasion of a trial against two police officers, found it appropriate to interweave a story into his indictment which must have seemed all the more disturbing because it also contained the assertion that the procedure of the police administration in Berlin described in that story, which systematically contradicts the law, is still continuing.

"By refraining for the time being from the steps to which the state government could be induced by the contents of this report, we first of all, now that the court hearings have also been concluded in the second instance, leave it to the judgement of whether the Chief Public Prosecutor has conducted the indictment and investigation against the officials of the Berlin police authority accused by him of exceeding their official powers with the necessary degree of prudence, tact and dispassionate dignity.

"The state government will no doubt have to consider whether an official of such a prominent position may use it to make serious accusations against another authority at a time and in a place where the latter was not permitted to defend itself and prove the reason or lack of reason for those accusations.

"The inappropriate procedure of the Chief Public Prosecutor has resulted in a step on the part of one of the defendants that is completely at odds with the duties of a civil servant.

"When, in such a manner, civil servants, instead of confining themselves to reporting illegalities of which they believe they have knowledge to the higher authorities for investigation and decision in the proper way, turn to the public and use the most important matters to achieve personal ends - what order of state could exist together with such anarchy?

"The deliberations prompted by such outrageous events must, however, be accompanied by a second consideration. However improper the form in which the Chief Public Prosecutor's Office brought its complaints against another authority to light may have been, the state government will not shirk its duty to be subjected to rigorous scrutiny in this respect, and what is connected with them, to scrutiny insofar as they concern persons who are in the service of the state. For the sake of the importance of its content, that fact, insofar as it is not already subject to cognizance, requires an investigation that completely disregards the formal errors or the motives of the person who published it. The legal consequences will depend on the outcome of this investigation."

This omission by the state government was followed by the announced actions. At its meeting on November 27, 1860, the Ministry of State decided to apply to the Prince Regent to place Chief Public Prosecutor Schwarck and Police Director Stieber at his disposal. With regard to the Chief Prosecutor Schwarck, the Prince Regent approved this application immediately, on November 28th, and Stieber's disposition was made on December 1st. — On December 8th, the Minister of Justice requested his dismissal, which was granted to him by decree of December 14th. Finally, in December, a commission was appointed by the Ministry of State to investigate the illegalities that had occurred in the areas of police and judicial administration and to identify the means to prevent a repetition of such events.

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33. The disposition of Stieber.

Despite Stieber's acquittals by the City Court and the Court of Appeal, the State Ministry nevertheless decided to remove Stieber from his office and to make him available with a moderate waiting fee after the above-mentioned "Forced Justification " of Stieber had been published in several Berlin newspapers on November 25, 1860. This public appearance by Stieber, as it was an appeal to public opinion against a superior state authority, was unprecedented in the history of the Prussian civil service. Stieber was in his right, the Minister of Justice and the Chief Public Prosecutor had accused him of lying in open court, and the President of the Court had cut off Stieber, who was sitting in the dock, from replying to this serious accusation. However, he should not have asserted this right to justification through the press, but rather in the official courts all the way up to the king, especially since the facts communicated in the forced justification were of a discretionary nature and should not have been published by Stieber without the permission of the superior authority.

On November 26, the day after the publication of the forced justification, Police President von Zedlitz informed him on behalf of the Minister of the Interior, Count Schwerin, that the sacrifice of his position would have to be made to the current political situation. At the same time, Mr. von Zedlitz, on behalf of the state government, demanded a promise from Stieber to refrain from further newspaper battles that could compromise the state government,

and guaranteed Stieber, on behalf of the minister, a waiting allowance of 1000 thalers and the retention of the editorship of the Central-Police-Journal, with which an annual salary of 400 thalers was connected, if Stieber undertook in writing to refrain from further newspaper battles.

Stieber had a wife and seven children to support, whom he would not have been able to support properly after his retirement from the civil service if he had not been granted a waiting allowance corresponding to his previous fixed salary. The interest on his saved capital - Stieber was very thrifty and always refrained from participating in the costly amusements of his colleagues in office, spending his free time constantly with his family - was nowhere near enough to support his family, and there was no prospect of any lucrative private activity. Compelled by this oppressive situation, he signed a declaration in the minutes of November 26, 1860, dictated by President v. Zedlitz, in which he unconditionally undertook to refrain from further newspaper battles, in reliance on the verbal assurance given by the President regarding the amount of the waiting allowance.

Four days later, Stieber received official notification of his position with the announcement that he was to receive 560 thalers a year in waiting money (instead of the promised 1000 thalers). Full of indignation at this deception, Stieber rushed to the police president, declared that he would not agree to a waiting allowance of 560 thalers a year under any conditions and demanded that he either be left in his office or that a disciplinary investigation be initiated against him. Mr. v. Zedlitz, however, calmed the agitated Stieber by assuring him that the Minister of the Interior had the firm intention of granting him a substantial allowance in addition to the waiting allowance and that Stieber could rely entirely on the Minister's fairness. Mr. von Zedlitz did not say what the Minister meant by a "substantial subsidy". As a result of this assurance, a statement was recorded in the minutes in which Stieber declared his agreement with his disposition, while also mentioning the assurance of the promised subsidy. In these minutes, Stieber also promised to refrain from further newspaper fights. The Chief of Police did indeed apply to the Minister of the Interior to grant Stieber a subsidy of 300 Thlr. per year from the revenues of the Central-Police Journal (whose editorial office had also been taken away from Stieber). However, the Minister refused.

"I will not deny, wrote the Minister, Count Schwerin, to Stieber on February 20, 1861, "that with your large family it may be difficult for you to live on the waiting allowance; I will therefore take into consideration, if a

suitable opportunity presents itself for your other employment in the state service, to make use of it, since there is no obstacle to such an opportunity after you have been acquitted of the legal charges brought against you. Until such time, however, that this will be possible, I am prepared to provide you with extraordinary support in accordance with your needs and the funds at my disposal."

When Stieber then justified his behaviour towards his persecutors in a detailed memorandum to the minister, the minister granted him a one-time gift of mercy in the amount of 300 thalers. However, Stieber rejected this gift of mercy and in a renewed petition to the minister demanded a permanent allowance of around 400 thalers in addition to his waiting allowance, or the retention of the editorship of the Central-Police-Journal, to which an annual salary of 400 thalers was linked.

"The path of publicity," Stieber emphasized in his petition to the minister, "which I took in my "forced justification" could be held against me all the less, since the court, which according to the constitution has to decide on my accusations against the Minister of Justice alone, are the chambers of the Diet and an appeal to the chambers is only conceivable by way of publicity. In my public justification against Mr. Schwarck's wanton attack, which hit the truth in the face, I have kept within the bounds of the greatest moderation and limited myself merely to a proper defence. In view of my public declaration, the Royal Ministry of State forced me to agree to my position. I would have been in a position to counter this coercion with a variety of objections. There were only two ways out in my case: Either my accusation against the Minister of Justice was false, in which case the most severe investigation had to be initiated against me, or it was not false, in which case the Royal Ministry of State and the country had to be grateful to me that I had uncovered this unlawful conduct of an official to whom the protection of the law was entrusted in the highest place, and the chambers could never tolerate that an official was rewarded with disciplinary sanctions because he had brought criminal acts of a minister to their knowledge. No one can deny that I spoke the truth against Justice Minister Simons; I can and will prove that I said too little and not too much. I could have safely risked the disciplinary investigation I was threatened with."

Stieber's resolute and manly tone is evident in all his submissions to the authorities. He never asks for mercy, but for his rights to be granted. It took a

whole year before Stieber was finally granted a permanent grant of 300 thalers to his waiting allowance by order of the King, whose intervention he had requested in an imprimatur, which was increased to 440 thalers in 1864 following the intercession of the Prime Minister, Mr. v. Bismarck.

Soon after Stieber's appointment, the officers of the Criminal Investigation Department, who had previously worked under Stieber, were forbidden by protocol to have any further dealings with their former director, because it was feared that Stieber's influence on them could harm the interests of the department. The reason for this strange fear lay in Stieber's decisive, ruthless demeanour.

During this time, in which Stieber had to defend himself against the public accusations made against him and the slander cast upon him in the press, people close to the court used this favourable opportunity to cast suspicion on Stieber's moral and political character among the Regent and the Princes of the royal house, whose goodwill Stieber enjoyed. At the head of this coterie was the then Vice-President of the House of Representatives Mathis (later President of Senior Church Councillors), who in 1845, as an advising councillor in the Ministry of the Interior, had transferred the commissariat in the Hirschberg Valley to Stieber, and according to whose special instructions Stieber had led the commissariat. This Mathis now claimed, when Stieber was surrounded by enemies and seemed to have no friend to take care of him, that Stieber had made arrests at the Silesian commissariat arbitrarily, without authorization, and in particular was solely responsible for the arrest of the landowner Schlöffel. Prince Karl informed Stieber of the accusation spread in court circles against him, ordering him to provide more detailed information about his police activities in the Hirschberg valley. In his accusations against Stieber, however, Privy Councillor Mathis had thought that the letters he had sent to Stieber in 1845 about the Hirschberg valley were no longer in Stieber’s possession, from which it was clear that everything Stieber did in Hirschberg was done on the specific instructions of Mr. Mathis and that in particular the arrest of Schlöffel, contrary to the opinion expressed by Mathis, had been carried out by him on Mathis' express orders. All of these letters were still in Stieber's possession, and it was therefore easy for him to clear himself of the accusations made by his Silesian commissioner before this noble gentleman by handing them over to Prince Karl.

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34. Stieber's officer debt regulations in court.

In the meantime, the date for the hearing of the new charges against Stieber for abuse of office before the Berlin City Court had approached. As already mentioned, this was a case of Stieber's regulation of officers' debts, which had been carried out by special order of King Frederick William IV. Although the charges in this case had already been brought by the public prosecutor on August 5, 1860, the trial was nevertheless suspended until the decision of the first trial pending in the second instance. After Stieber's legally binding acquittal by the Court of Appeal in the first trial, it was greatly regretted in the leading administrative circles that a new indictment had been brought against Stieber at all, and all the more so as the trial of the indictment could compromise the terminally ill King Frederick William IV. An indictment, once it had been brought and the investigation initiated by the court, could not be withdrawn by law; it had to be settled by a public hearing. As the death of the king was being awaited on a daily basis, it was decided to wait until then to set a date for the trial, as it rightly seemed less questionable in the interests of the monarchy to publicly discuss the personal actions of a deceased king, who was already consigned to history, than those of a king who was still alive, albeit inactive, before the criminal court. After the king's death on January 2, 1861, the date for the new criminal trial against Stieber was set for February 11, 1861.

The trial was heard before the IV. Deputation of the criminal court. It was presided over by the municipal court councillor Hartung, the municipal court councillor Bernard and the court assessor Bachmann acted as assessors, the public prosecutor was represented by the Count zur Lippe (the later Minister of Justice). The defence was conducted by the defendant Stieber himself.

According to the indictment, the following facts were involved:

"In the summer of 1856, Major v. Koschembahr learned that his son Horaz v. Koschembahr, then serving as a second lieutenant in the Kaiser Franz Grenadier Regiment, had incurred significant debts, in particular debts on bills of exchange. The lieutenants Erich v. Koschembahr and v. Falkenstein were with the same regiment at the time. They had drawn bills of exchange on each other and soon brought them into circulation.

Falkenstein's father had already contacted Police Director Stieber about settling these debts. Major v. Koschembahr also contacted Police Director Stieber after he had come to Berlin and entrusted him with the settlement of his son's debts. The creditors were to be satisfied amicably, but further action against them was to be avoided due to possible usury. A bill of exchange acceptance from Horaz v. Koschembahr for 68 pieces of Friedrichs d'or dated June 24, 1856, payable three months a dato, had been transferred by general endorsement to Wilhelm Hahn and from him to Eduard Pfüller. The merchant Weber had given the latter part of the purchase money for the bill of exchange. When the bill of exchange was handed over, the merchant Wilberg was instructed to collect or sue for the bill of exchange at the time of expiry. Wilberg turned to the lawyer Härtel, who lodged a protest in Wilberg's name with Horaz v. Koschembahr on September 25, 1856 for lack of payment. On September 27, 1856, around 10 o'clock in the morning, the merchant Weber again brought the bill of exchange and the protest to the office of the lawyer Härtel, but did not meet the latter, handed the documents to the office manager Orthmann and said that he would come back in the afternoon and issue the further orders.

On the same morning, about two hours later, the criminal commissioner Weber appeared in the office of the lawyer Härtel, produced a written order issued by the police director Stieber as head of the criminal department of the police headquarters on September 27, 1856, according to which the v. Koschembahr bill of exchange for 68 Friedrichd'ors, due on September 24, was to be confiscated. The reason given for the seizure was that the bill of exchange had been fraudulently set in circulation. The head of the office, Orthmann, initially refused to hand over the bill of exchange in the absence of the lawyer Härtel, but the criminal police commissioner Weber declared that he could not wait for the lawyer Härtel to return, but would have to take the bill of exchange with him immediately. As a result, Orthmann handed over the bill of exchange to Weber against a receipt. On the same day, the merchant Wilberg received an official summons to appear before the police director Stieber, complied with it, but was released again after he had declared that he was not the owner of the bill of exchange, but only the incasso mandator of the merchant Weber. Weber left the further settlement of the matter to the merchant Pfüller. The latter was also later summoned to the police director Stieber. Stieber offered him a smaller sum to redeem the bill of exchange.

When Pfüller refused to agree to this, Stieber said vehemently that he would receive nothing and that the matter could have bad consequences for him. The matter was not settled that day. However, Pfüller received several more summonses to appear before Police Director Stieber and finally accepted as payment for the bill of exchange the sum that the police director offered him.

The seizure of the bill of exchange apparently took place in order to forestall the action against the acceptor of the bill of exchange and to determine the holder of the bill of exchange to accept a lower amount than the bill of exchange was for. There was no official intervention against one of the bill holders for usury. There is nothing to support the fact that the bill of exchange was fraudulently negotiated.

The confiscation of the bill of exchange was therefore in no way carried out to prosecute a criminal offense. Rather, it represents an abuse of authority committed by Police Director Stieber in the execution of a private order. The purpose arises from the necessary effect of the measure, on the one hand in the unlawful prevention of the filing of the action on the bill, but also in the intimidation of the holder of the bill, which ultimately led to him agreeing to settle for less than the nominal amount of the bill.

"Accordingly, the police director Stieber is accused of having abused his official authority on September 27, 1856 in Berlin by confiscating a foreign bill of exchange deposited in the office of the lawyer Härtel in order to unlawfully force the holder of the bill of exchange to refrain from filing an action against the acceptor of the bill of exchange and to accept a settlement not reaching the nominal amount of the bill of exchange. "

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35. Stieber's justification: General part.

After the reading of the indictment, Chairman Stieber made the following statements in response to questions about the indictment:

"I have already had the opportunity in the earlier major criminal trial against me to bring to light the outrageous procedures that have been used against me. In this trial, however, I first have to state a circumstance which is probably completely unprecedented in the annals of the administration of

justice. I, one of the highest security officials of the state, am being publicly brought to the embarrassing bench here on a charge for which I have never before been heard to justify myself! When a complaint is made against an official, custom and consideration for the official position he represents require that the complaint be first presented to him or his official authority and his justification heard before he is publicly accused and compromised. This is how it came about that, on the basis of an anonymous complaint by a completely unreliable swindler, this accusation was made against me, which I must describe as having been plucked out of thin air. Such proceedings can only be explained if one considers that this trial is still a part of the great show trial, which my present colleague Mr. Schwarck has confessedly conducted more against the police chief v. Zedlitz and the police in general than against me, and in which two state powers, the police power and the public prosecutor's office, are hostile to each other. One of these powers, instead of both working for the good of the state, seeks to outwit and overpower the other, and in this way a state of affairs has arisen which the government itself described as anarchic in its well-known manifesto issued with reference to my earlier trial. I must divide my defence on the indictment into two parts, one general and one particular.

"First of all, I admit that in the years 1855 and 56 I dealt with the settlement of the debts of Lieutenant von Falkenstein and von Koschembahr and the group of officers belonging to them, and at first it seems that I can be accused of having mixed my official function with such a business of an apparently private nature. However, this regulation and the investigation initiated against me because of it is only one link in a single chain, I have not one, I and several other officials of the police chief, from the police chief down to the commissioners, we have carried out a whole series of such regulations in the period from 1851 to 1857. I have to deal all the more with the matter in general, as it has often attracted public attention and has been used by well-known personalities as a pretext for the vilest calumnies. It has been blown out that the criminal police have made a lucrative business out of settling such debts and have abused their authority to stunt the collection of just debts. Mr. Schwarck has attempted to initiate 30 preliminary investigations against police officers for such settlements. Just a few days ago, a well-known member of the second chamber, who seems to be playing the role of the higher Eichhoff * there, directed his attacks against these debt settlements. However, the matter has a completely different meaning.

"Since time immemorial there has been a tendency among young officers to incur debts, which is often exploited by usurers and swindlers. Prussian state law has seen fit to enact special laws to protect officers. It is expressly prescribed that debts of subaltern officers are null and void, and that the money given is to be collected for the invalid fund. The usurers and crooks, however, have understood how to cleverly circumvent these laws, and the danger that these laws pose to usurers only serves to extract higher interest from the debtors. They have invented the so-called honorary certificates, in which the officer promises to pay the debt, which in itself is void, on his word of honour, and sometimes also has to certify some deliberately false fact, e.g. his age, his rank on his word of honour. It is in the nature of military honour that such a certificate of honour must be redeemed without any objection if the officer does not want to lose his position immediately. Such a certificate chains the debtor indissolubly to the usurer. It is as if he had pledged his soul to the devil. I do not think I am saying too much when I assert that in 1851 half of the young officers were in the hands of the vilest usurers and crooks by means of such certificates of honour. Persons from the lowest ranks of the people had become rich in a short time through such business; there were formal forms for the certificates of honour and a whole corps of commission agents who literally sought out the young inexperienced officers, forced the money on them, embezzled a large part of the small amounts given by the usurers and sucked the country's nobility dry like vampires. Not 100, no, 1000 percent were taken; in many cases the officers did not receive a penny of currency on the honorary certificates which they had carelessly given, and had to pay the third holder after all.

* Carl Ludwig Wilhelm Eichhoff (1833 - 1895) was a German journalist and social democrat.

He corresponded for the Hermann, Deutsches Wochenblatt from London , a newspaper for German exiles . There he published articles about Wilhelm Stieber and the communist trial in Cologne in 1852. For this he was sentenced to 14 months in prison. He appealed and wrote brochures under the title Berliner Polizei-Silhouetten (Berlin Police silhouettes}. The copies were immediately banned and Eichhoff was sentenced again. He fled to Kiel and then to England . In London he met Karl Marx personally.

"The matter finally took on such great dimensions that it attracted the attention not only of the military authorities, but also of His Majesty King

Frederick William IV. There were repeated suicides and desertions. Criminal action against the usurers, which would probably have helped, was very questionable, because it would usually have caused a public outcry and the dismissal of the officers concerned, and because it was precisely the most capable and well-behaved officers who had gotten into such entanglements. It was therefore decided to prepare a specific law concerning the certificates of honour and, for the time being, to enlist the help of the criminal police in the interests of military justice in order to settle the debts in question gradually and to keep the usurers somewhat in check. This decision was taken by His Majesty King Frederick William IV himself. One day I received the letter, the original of which I am presenting here to the High Court, in which the Wing Adjutant to His Majesty the King, Colonel von Schöler, Chief of the Military Cabinet, ordered me to a conference at the War Ministry, in which the relevant orders of His Majesty were revealed to me. At the same time I was commissioned to settle some special debts of this kind, and in some cases I received the necessary money from His Majesty's Treasury itself, as the King was filled with a kindness and indulgence towards individual capable officers that cannot be praised enough. As proof of this, I submit to the Court the enclosed letter from His Majesty's treasurer, the Privy Chamberlain Schöning, in which a sum of several thousand thalers is placed at my disposal in return for a cash deposit. My boss at the time, the Director General of Police v. Hinckeldey, and all other civil and military authorities were in agreement with this commission of the criminal police. It was an open fact that the whole city knew about, except Schwarck.

"Since that time, I have remained in direct contact with the military cabinet on the matter. Everything that happened was the result of special instructions from the highest authority and on behalf of my department. I am only submitting as evidence the correspondence that took place in a specific case. I have deliberately chosen a case in which the officer in question is dead, I mean Captain von Neumann, the son of His Majesty the King's Adjutant General, General of the Infantry v. Neumann. I do not wish to touch on the circumstances of living officers here, as I could easily harm military interests and ruin a good officer whom the King has perhaps laboriously protected at his own sacrifice. In general, I find myself in a very bad position in the proceedings which Mr. Schwarck has brought against me in such a disgraceful manner and in which I have been shown no mercy. I have already inflicted deep wounds on the country in my earlier trial through

my forced defence, and here, too, the pistol is being put to my chest; for the duty of self-preservation compels me to defend myself by all means, but I want to confine myself as much as possible to the limits of extreme self-defence so as not to inflict new wounds. You will see in v. Neumann's case what special instructions have been given to me by the Wing Adjutant of His Majesty through my chief of staff. Gentlemen, however, it would be a scurrilous slander if one were to interpret the matter as if the usurers concerned had been overcharged in these regulations. These settlements only took place in mutual negotiation, and where they did not materialize, the usurer received nothing to his detriment, but the officer usually had to resign. Only the exaggerated, criminal profit was taken from the usurers. It was the constant principle of His Majesty and all the authorities involved in the matter: The usurer received back the money he gave with 6 percent interest and a few percent commission. The transaction was annulled in the manner prescribed by the law of the land, and no further action was taken against either the officer or the usurer. The criminal investigation department had the task of determining how much was actually given. In individual cases where the officer belonged to a poor family and there was nothing dishonourable against him, the king himself gave the money from his own pocket to the police, to settle the matter, sometimes even secretly, without the distressed family knowing it. Many tears have been dried in this way by a monarch whose kindness of heart cannot be praised enough. The commissioners who had embezzled the money received from the usurers and who had misled the young officers in general were, according to His Majesty's will, always to be dealt with without mercy.

"In 1857, after much toil and labor, the police finally settled the debts in question, and the law of March 2, 1857, was passed, which put an end to the evil in one fell swoop by imposing severe penalties on anyone who had certificates of honour issued to make void debts of minor inexperienced people binding. Gentlemen, I myself helped draft this law. Since that time, the relevant activities of the police president have been completely dormant, and Mr. Schwarck would certainly not have needed to dig up the relevant procedures from the grave of oblivion. This investigation again concerns facts that happened six years ago. A real grievance could not be eliminated because it no longer existed.

"If I involve the Crown in my trial in this way and denounce King Frederick William IV, please do not misunderstand me. I do not

want to take refuge in the Church of Peace at Sanssouci * and cowardly hide behind the sarcophagus of my deceased king; I do not want to demand protection from the Crown for unlawful acts. However, we police officers under Mr. v. Hinckeldey lived in a state of constitutional innocence. If the King had ordered us to arrest the Minister-President, we would have arrested the entire Ministry of State. But my present colleague, Mr. Schwarck, has earned the merit, he has made us aware through his many preliminary investigations mentioned above that the Crown cannot cover for the official, and that the official is responsible like the minister, even if he acts on the King's orders. Although you, gentlemen, speak justice here in the King's name, you would have to condemn me, and in me the King, if I had acted unlawfully on the King's orders. This is the consequence of Schwarck's anarchy. Gentlemen, I beg you not to misunderstand me. I represent what I have done myself and do not refer to the King as a cover for illegality, I only want to prove to you that I acted in the official and state interest in the debt regulation in question and did not pursue my private interests, I want to prove to you that I had no dolus ** in it, and if you assume this, any suspicion of illegality will very soon fall away. Furthermore, I refer to the King to prove that I had the general official instruction to seize bills of exchange of minor officers, if such appeared with the collaboration of known usurers and swindlers, to investigate the origin of the bills, to settle the debt amicably and to report it to the Military Cabinet or the Intendant's Office. I was therefore authorized under all circumstances to stop bills of exchange myself at the lawyer Härtel. The issuers were minor and the commissioners Hahn and so on were known usurers. Hahn was investigated and punished 17 times.

* The Protestant Church of Peace (German: *Friedenskirche*) is situated in the Marly Gardens on the Green Fence (*Am Grünen Gitter*) in the palace grounds of Sanssouci Park in Potsdam, Germany.

** Dolus (Mirriam-Webster dictionary)

1- Roman, civil, & Scots law: the doing of anything that is contrary to good conscience: the use of a trick, stratagem, artifice, or device to deceive another: deceit

2- Roman, civil, & Scots law: evil or criminal intent similar to malice at the common law in the law of crimes: wilful and wanton misconduct in the law of delicts: fraud, deception

"As evidence of the instruction in question, I have already referred to the testimony of Police Commissioner von Zedlitz. If it is still considered necessary, I will also refer to two new, quite excellent exonerating witnesses, the former Minister of Justice Simons and the former Senior Public Prosecutor (ret) D. Schwarck. I have already mentioned that thirty preliminary investigations have been pending against police officers for such debt settlements, namely against police officers of low and high rank. These are debts of counts, princes and princes. All these investigations were dropped by Mr. Simons or Mr. Schwarck, as far as I know, also because the gentlemen had just convinced themselves that the officials had acted on the orders of the highest level and that the instruction I proved had been issued by the King. I alone am now again chosen as the sacrificial lamb. I now demand that Messrs. Simons and Schwarck appear here: to bear witness for me.

"Finally, I refer quite simply to the well-known provision of the General Land Law Part 1 Title 11 § 614: If the consent of the commander is lacking and the debtor is a subaltern officer, the loan agreement is null and void, the creditor can never hope for the slightest repayment and the actual amount given is irrevocably forfeited to the invalid fund as punishment."

"According to this, if it came to confiscating the bill of exchange, I could cover myself and at most I could be reproached for having paid a penny at all to the holder of the bill of exchange, Pfüller.

"In fact, however, I was guided by completely different, entirely legal motives in the confiscation, and I now come to the special part of my defence.

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36. Stieber's vindication: Special part. - Taking of evidence and judgment.

"First of all, it is a false accusation that General von Falkenstein turned to me to settle his son's debts. Mr. von Falkenstein therefore turned to my chief, Mr. von Hinckeldey, and to His Majesty the King, as he also wished to have his son transferred from Berlin. It was from there, from His Majesty the King and from Mr. v. Hinckeldey, that I received the order for this regulation and I have acted in accordance with these orders everywhere.

Koschembahr's regulation was so closely connected with Falkenstein's that my commission also related to it and I could not complete one without the other. The major v. Koschembahr came to me when the matter had been simmering for a year and a day and was coming to an end and the available funds had been exhausted.

"Lieutenant v. Koschembahr had given the bill of exchange in question to the commission agent Hahn in order to sell it, but did not receive a penny in value. On the contrary, Hahn completely misappropriated it. When Koschembahr therefore denounced Hahn to me and I questioned him, the latter objected that he had given the bill of exchange to Weber, who had agreed to buy it. Since he still owed Weber money from another transaction, the latter had refused to pay the purchase money for the bill of exchange, but had instead withheld the bill of exchange on his debt. However, he had told Weber that he was not allowed to hold on to other people's property, that the bill of exchange would not appear and that it had been destroyed. Nevertheless, the bill of exchange was given in the name of Wilberg at the time of expiry and Koschembahr received a threatening letter under this name in which he was threatened with denunciation to the general command if he did not pay the full amount of the bill of exchange.

"After I became aware of this incident, I questioned the person named Wilberg. He explained to me, however, that he had not written the letter at all, that his name had probably been misused by Hahn. It now became clear that a fraud had been perpetrated, especially since Hahn and Weber had already used the same manoeuvre with a number of other bills of exchange that Hahn had received from officers for sale. Hahn never brought action and always used the excuse that Weber had retired them for claims he had against him. Now there was nothing left to do to find out who the bill of exchange actually belonged to and who had paid the value date for it to Hahn but to have the bill of exchange seized by the lawyer Härtel. So I found out that Hahn had sold the bill of exchange to Pfüller and had received a considerable sum of money from him, but had embezzled it. The whole story with Weber was a fraud. The bill of exchange was accompanied by a certificate of honour, which Pfüller had in his house. I only negotiated with Pfüller and made payment to him in consideration of the certificate of honour, which Mr. von Koschembahr, as a member of a highly honourable family, wanted to redeem under all circumstances. Although Mr. von Koschembahr did not receive a penny in value, he wanted to pay the capital, I was only in dispute with Pfüller about the bill costs and interest, whereas the bill was a worthless

piece of paper on which I would never have paid a penny, as it was accepted by a minor and subaltern officer and was therefore not actionable for two reasons. The prosecution claims a downright logical and legal contradiction when it claims that I wanted to prevent the bill of exchange from being enforced and that it could not be enforced. As an experienced lawyer and businessman, I would have laughed at such a claim, and I can only regret that the prosecution has accused me of being so simple-minded that I should have been afraid of such a claim. The confiscation of the bill of exchange had no connection at all with the settlement with Pfüller, it was part of the investigation against Hahn and that settles the whole charge against me."

The presiding judge stated that there was an official information from the police headquarters in the files, made at the request of the court, the content of which was that the same was not aware that the defendant had received a settlement order in the Falkenstein - Koschembahr debt matter, but that there was a general instruction authorizing the officers of the criminal police to settle such debt matters of young officers in an amicable manner.

The witnesses were then examined. The main witness was the merchant Pfüller. He stated that Stieber had tried to persuade him to forfeit part of his claim. When he refused to agree, Stieber told him that he would then get nothing and held up to him the passage from the eleventh title of the Land Law, according to which transactions of the kind in question with minor officers were null and void. Incidentally, Stieber had been quite polite to him at this conference. He no longer knew with certainty whether he had lost his claim; it seemed to him that he had lost something, but he could not state the amount of the loss.

The Lieutenant v. Koschembahr stated that he had not received any currency on the bill of exchange in question, that he had been shamefully cheated by Hahn and that he had therefore reported it to Stieber himself.

The criminal investigators Pick, Weber and Rockenstein affirm that the debt settlement instruction in question had existed, that the officers of the criminal investigation department had proceeded in accordance with it on the instructions of Mr. v. Hinckeldey and Mr. v. Zedlitz. They all describe Hahn as a man who lived only by swindling and fraud. The same description is given by the merchant Weber von Hahn.

The lawyer Härtel stated that Stieber had wanted to return the bill to him after he had seen it, but that he had not taken it because he had not wanted to deal with the matter.

Finally, a court statement by Major v. Koschembahr was read out, in which he deposed that Stieber had informed him of his intention to report Hahn's swindle to the public prosecutor's office, but that he, the witness, had expressly asked him to refrain from doing so for the sake of his son.

After brief pleas by the public prosecutor, who requested three months in prison against the defendant, and by the defendant for his acquittal, the court ruled that the defendant was not guilty of abuse of authority and that the costs were to be awarded.

In the reasons for this decision it was stated that the defendant had not acted on private authority, but, as was clear from the letter read out from the police headquarters, on the basis of instructions issued once and for all by his superior official authority when he carried out the debt settlement in question. He had to be considered authorized to confiscate the bill of exchange from the lawyer Härtel in the course of this, since the circumstances were suitable for the suspicion that Hahn had committed fraud. This suspicion was all the more justified as Hahn was, according to the testimony of several witnesses, a highly disreputable person who, even if he had not been punished, could be accused of fraud. Experience had shown that there were a lot of people in Berlin who, even if not punished, were often much more dangerous to public safety than criminals who had actually been punished. According to the witness statements, Hahn also belonged to this category. Section 315, on which the indictment was based, required coercion. The fact that the defendant had coerced Pfüller by threats to forfeit part of his claim was also not to be regarded as proven, since he was not able to assert with complete certainty that he had suffered a loss of his claim. However, he could not have been compelled to refrain from suing on the bill of exchange anyway, as such a suit against Minorenne - which was the case here - was not permitted by law. The defendant had not been able to proceed with an investigation against Hahn, as the latter had a bill of sale for the bill in question in his hands, which only constituted a civil claim. For all these reasons, the defendant had to be acquitted.

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37. The accusation against Stieber for infanticide.

Two days after the hearing of Stieber's second trial, an episode from Stieber's family life was heard in public before the same court and the same panel of judges. Stieber, who since his marriage had cared for his wife and children with an astonishing self-denial and renunciation of every pleasure beyond the necessities, who was devoted to his wife and children with a love that steadily increased with the steady growth of his family despite the great wealth of children in his marriage, had been described by the writer Dr. Eichhoff, mentioned several times above, in the "Hamburger Reform" as the murderer of his children and accused of murdering his eldest child by starvation. In 1849, Stieber had placed the child in the care of a thief and thief's wife, where it had been found by the investigating officers on the occasion of a house search carried out by the police, and it had given them the impression that the child had been taken to the woman with the intention of starving it to death; after it was found by the police, the poor child had been taken to relatives, who, however, had not been able to save the child, weakened by starvation, from death.

This terrible accusation was made by Eichhoff against Stieber - together with numerous other insults, saying of Stieber that he was always driven by the desire to harm those around him, that it was a true lust for him to bring someone to prison, that he had perjured himself in certain cases, that he was a "soul à la Cartouche * and Schinderann **" - in several continuous articles written by Eichhoff in April and May 1860, He was a "soul à la Cartouche and Schinderhannes" - were published in several consecutive articles written by Eichhoff in the "Hamburger Reform" in April and May 1860, i.e. at the time of Stieber's arrest and Schwarck's persecution of him. Stieber refrained from filing a criminal complaint for the insult concerning the infanticide because, on the one hand, he was completely absorbed by Schwarck's persecution and, on the other hand, he was reluctant to initiate legal proceedings for this scurrilous slander and to have his family circumstances heard in court. The public prosecutor Count zur Lippe, however, brought charges against Eichhoff on his own initiative for slanderously accusing the director Stieber of encouraging the murder of the child, assuming that Stieber's official honour had been offended by this and that therefore,

according to the Prussian penal code, there was no need for a criminal complaint for insult on the part of the insulted party. Since the prosecutor's charge related to other insults inflicted on Stieber, which were connected to the criminal proceedings against Stieber that were currently pending, the trial against Eichhoff was suspended until the criminal proceedings were concluded.

* Louis Dominique Garthausen, also known as Cartouche (1693–1721, Paris), was a highwayman reported to steal from the rich and give to the poor in the environs of Paris during the Régence until the authorities had him broken on the wheel.

* Schinderhann's band committed thefts and robberies in the northern Rhineland from about 1798 until 1802.

In the meantime, however, Eichhoff, who had already been sentenced to prison in the first defamation trial of January 1860, had his appeal against this conviction rejected by the Court of Appeal on January 30, 1861. In order not to have to serve the sentence and to avoid the impending punishment for the new insult committed against Stieber in relation to the alleged infanticide, Eichhoff fled from Prussia, having previously named police inspector Bormann, police lieutenant Uchtenhagen, actuary Lietzmann, rentier Rogan and doctor Behrend to the city court as witnesses who could testify to the infanticide he had blamed on Stieber.

On February 13, 1861, the trial against Eichhoff took place, in which Count zur Lippe represented the public prosecutor's office.

After the presiding judge had read out a letter from Eichhoff, dated Hamburg, in which he excused his non-appearance by making meaningless statements, the public prosecutor requested a trial on the merits, which the court decided to hold. The court also decided to accept the defendant's exculpatory evidence by hearing the witnesses he had proposed.

These witnesses stated:

1) The police inspector Bormann: About 14 years ago I was once informed in the police office that the police lieutenant Uchtenhagen had found a child of Dr. Stieber in the care of a woman with whom he had had to investigate stolen property. As far as I remember, I spoke to Stieber, who was not yet employed by the police but was a defence attorney, about it myself, because I was convinced that he would not know that the woman was

unreliable, as it seemed after the house search. On the other hand, I do not remember being told that the child had been found in a helpless position. I myself neither knew the woman who was the nurse nor saw the child.

2) Police lieutenant Uchtenhagen: I once had to search the house of a journeyman furrier named Mingram in Dragoon Street. I found a very young child there who could only have been a few days old at most. As Mrs. Mingram did not look as if she had recently given birth, I asked who the child belonged to and learned that it had been given to her by Dr. Stieber.

Chair: Did you look at the child?

Witness: Yes.

Chairman: Did it look sick and weak?

Witness: No, on the contrary, it was very lively and cheerful.

Chairman: Was it externally neglected?

Witness: No, it was very well kept. It lay in pretty little beds and in very fine linen.

Chairman: Did you find any stolen goods on Mrs. Mingram?

Witness: No.

Chairman: Do you know that the woman was under investigation or had been punished?

Witness: No, I didn't hear anything about that.

3) The actuary Lietzmann is questioned:

Chairman: Do you know anything about the fact that Stieber gave his child to a thief?

Witness: I know that Stieber gave his first child to some woman; that she was a fence or some other punished person, I do not know.

Presiding Judge: The defendant called you by name as a witness that the child had been deliberately ill-fed.

Witness: You can reproach Stieber all you like, but you have to give him credit for being a very good father who loved his children almost madly. This was particularly the case with the first child, who later died, if I'm not

mistaken, of scarlet fever. Stieber and his wife were inconsolable about the loss for a long time.

4) The landlord Rogan: At the time of the birth of the child in question, I was going in and out of the house of Stieber's mother-in-law. This birth brought unambiguous joy to both parents. When the child became seriously ill a few years later, he was given the greatest possible care and attention. Stieber always behaved as a tender father and was beside himself when the child died.

5) Doctor Behrend: I was Stieber's family doctor at the time of the child's birth. The child had been taken out of the house because of the limitations of the apartment and placed in the care of a woman in Dragonerstrasse, whom I myself had recommended, as she gave me the impression of a proper woman and a capable nurse. I visited the child there repeatedly and convinced myself that she was in very good hands. The best proof of this was that it was thriving excellently. Later - I think at the age of four or five - she died of scarlet fever.

After the witnesses had sworn to these statements, the presiding judge also announced that he had had the criminal records checked to determine whether Mrs. Mingram, with whom the child had been in care, had been punished. However, these lists did not reveal any punishment of her.

The court sentenced Eichhoff to a total of nine months in prison for the offenses with which he was charged.

With this trial, the legal proceedings relating to Stieber have come to an end.

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38. Stieber as a private citizen (1861-1866). His relations with the Russian government.

Despite Stieber's appointment on December 1, 1860, the Ministry of the Interior occasionally called upon his services for important criminal police commissions during the following years. In July 1861, for example, Stieber was entrusted with the pursuit of the fugitive bank messenger Reichenow, who had embezzled more than 120,000 thalers in banknotes and other paper

money from the branch of the Prussian Bank in Cologne and had made off with the embezzled assets, and he succeeded in identifying the fugitive in Paris and arresting him with a large part of his loot.

During the years 1861 to 1866, Stieber was involved in house building and speculation, which had very favourable results and helped him to become wealthy within this short period of time. As early as July 1853, Stieber laid the foundation for his later fortune by purchasing a plot of land in Alexanderstrasse in Berlin with a very small down payment. He gradually paid off the purchase price from his savings and sold the property at a high profit in 1864 after owning it for eleven years.

During the five years in question, Stieber also engaged in private police business in the interests of the Russian government, which was very well rewarded. As early as 1860, he came into close contact with the Russian legation in Berlin as a result of an attempt at blackmail against the Russian envoy, threatening to publish a fact that compromised the honour of the envoy's wife. Stieber took on the task of discreetly dealing with the scandalous affair and carried out this task with his own high level of skill to the complete satisfaction of the Russian envoy. On this occasion, Stieber became better acquainted with the Russian envoy's attaché, Mr. von Mohrenheim, who took the opportunity to draw the Russian government's attention to Stieber's outstanding criminalistic talent, which could be used for Russian purposes in Germany as a result of Stieber's disposition. An arrangement concluded with Stieber obliged him to search Germany for political and common criminals who directed their criminal acts against the Russian state, i.e. preferably for Russian demagogues and Russian counterfeiters, and to protect the person of the Russian emperor during his travels and his stay in Germany.

For this purpose, Stieber employed a number of agents in Berlin and various other cities, and in those cases in which the Prussian police authorities had to participate ex officio in the search for Russian criminals or in the protection of the life of the Czar staying in Germany, the criminal investigators were instructed to follow Stieber's instructions and work together with him. Stieber's relations with the Russian government were mediated by the Russian state councillor von Schulz and initially also by the Russian envoy attaché von Mohrenheim.

These private police relations between Stieber and the Russian government lasted until 1874, apart from the small interruptions they experienced during the wars of 1866, 1870/71, when Stieber's activities were completely taken up by his functions as field police director. Having already received the Russian Stanislaus Order, second class, in 1855, he was decorated with the Russian Order of St. Anne, second class, in 1864.

In 1866 he received the Russian Order of St. Anne * second class with diamonds and on June 14, 1870 the Star of the Order of St. Stanislaus **. In 1874 Stieber's employment with the Russian government was terminated due to lack of material, especially as his financial circumstances allowed him to give up his lucrative activities in the Russian interest.

* The Imperial Order of Saint Anne was a Holstein ducal and then Russian imperial order of chivalry. It was established by Karl Friedrich, Duke of Holstein-Gottorp, on 14 February 1735, in honour of his wife Anna Petrovna, daughter of Peter the Great of Russia.

** The Order of Saint Stanislaus, was a Polish order of knighthood founded in 1765 by King Stanisław August Poniatowski of the Polish–Lithuanian Commonwealth. In 1831 it was incorporated under the Russian Empire.

Over the years, Stieber's excellent private police services for the Russian Czar occasionally brought him commissions for special investigations from other sovereigns and other outstanding personalities, for which Stieber was well paid.

In the autumn of 1863, through the mediation of his friend Brass, the founder of the "Norddeutsche Allgemeine Zeitung" *, Stieber first came into close contact with Prime Minister von Bismarck, who then used him from time to time to carry out secret state police operations, but without allowing him to take up any official position with the Ministry of State.

* Norddeutsche Allgemeine Zeitung (North German General Newspaper). It emerged from the Leipziger Allgemeine Zeitung , founded in 1837 and published by Heinrich Brockhaus . His son Eduard Brockhaus not only published the paper, but also edited it himself from 1857 to 1883. His political orientation also influenced the newspaper: the newspaper soon developed a national liberal to conservative profile.

In 1862, August Braß (1818–1876) bought the newspaper and headed the editorial team until 1872, when he resigned after the sale because he was

reluctant to be demoted to “Bismarck’s scribe” and to submit every editorial to the government.

IV. The state and field police effectiveness of Stieber.

39. Stieber's appointment as field police director for the 1866 campaign.

As a result of Blind's assassination attempt * against Count Bismarck on May 6, 1866, the director Stieber, who was in Marienbad for a cure, was quickly summoned to Berlin. He immediately complied with this call, interrupting his cure. Stieber was now entrusted with the confidential task of protecting the life of the King and the Prime Minister during those very turbulent times shortly before the outbreak of the German war against possible renewed assassination attempts and to make proposals for the organization of a state police institute, which was to make the prevention of assassination attempts as well as the investigation and suppression of activities dangerous to the state its exclusive task. Stieber accepted this honourable, albeit very difficult, assignment without hesitation, and he thereby attained a position that far surpassed his earlier work as criminal police director of Berlin in importance, actually made him head of the Prussian state police and brought him close to the person of the king.

* Ferdinand Cohen-Blind (1844–1866) was a Jewish German student who attempted to assassinate Otto von Bismarck, shooting him five times at close range. Bismarck had only minor injuries.. Cohen-Blind committed suicide shortly after his arrest.

In earlier years, King Wilhelm had never had the opportunity to enter into relations with Stieber and get to know his police skills for himself. The Blind assassination was the first occasion on which King Wilhelm approached Stieber, and from that time onwards Stieber assumed a position of trust that characterized him, both with Count Bismarck and later with the Kaiser, and in which he remained until the end of his life.

Two days before Blind's assassination, the Prussian army began mobilizing for the war against Austria and its German allies, which began on June 18. On May 21, 1866, the King's Prussian headquarters was formed and remained in Berlin until June 30, on which day the King left for the Bohemian theatre of war. The important task assigned to Director Stieber by the Prime Minister to ensure the protection of the King's person initially took on an official character in that on May 28, 1866, at the instigation of the Prime Minister, the Minister of the Interior granted Stieber, who was still in

charge of the Ministry of the Interior as Director of Police, a commission to form and lead an army police force.

Stieber had already submitted a plan to the Prime Minister, according to which a special political field police force would be formed for the forthcoming war, separate from the field police, which would deal with the higher police duties at headquarters, in particular with the protection of the person of the King and the highest officials assisting and accompanying him, with the foreign and security police. Count Bismarck declared himself in agreement with this plan, while the Minister of the Interior, Count Eulenburg, initially did not want to see the political field police separated from the field gendarmerie (which, according to Stieber's plan, would only have to deal with the lower police service). Count Bismarck prevailed upon the King with his view, which was also approved by the Minister of War, and Count Eulenburg had to give in.

On the basis of the Service Instruction for the Political Police of the Grand Headquarters of June 12, 1866, drawn up by the War Ministry, a political police force was created as a special body by Royal Cabinet Order of June 23, 1866 "to perform the higher police functions at the King's Headquarters and its surroundings for the duration of the army's mobile relationship. Director Stieber was appointed head of the political police with the title "Field Police Director", and three officers were placed at his disposal for the police service assigned to him, Police Lieutenant Nestler, Police Lieutenant Seyfried and Criminal Commissioner Crusius, all officers of the Berlin Police Headquarters.

Explicitly excluded from the functions of the field police director was the lower police service in the imperial headquarters and its surroundings, as the maintenance of public peace and security, the supervision of the observation of issued regulations, keeping the roads clear, etc., which functions fell exclusively to the army gendarmerie.

The field police director and his officers were subordinate in terms of their external position to the commander of the imperial headquarters, in a higher instance to the quartermaster general and the chief of the army's general staff. Stieber had to address requests for the assistance of the army gendarmerie and possibly also the state guards in more extensive political police business to the commander of the large headquarters, to whom the gendarmerie and the state guards were also subordinate. Only in cases of

imminent danger were Stieber and his officers authorized to directly requisition the support of the army gendarmerie or any military person.

The tasks assigned to the political police were as follows:

1) The protection of the person of His Majesty the King, as well as the safeguarding of the persons of the ministers and other outstanding officials, whereby Director Stieber was to be given all the support he deemed necessary by the military authorities.

2) The surveillance of enemy espionage in the imperial headquarters and its surroundings and, in connection with this, the exercise of a strict foreign and security police, with the proviso that the general orders deemed necessary for this purpose by the Director of Field Police and approved by the military authorities had to be respected by all headquarters personnel.

3) The control of correspondence and telegram traffic in the imperial headquarters and its immediate vicinity; the opening of letters and the receipt of telegrams, as well as the suspension of the transport of both, was only the responsibility of the field police director if he had been authorized by the military authorities if necessary.

4) Careful control of the press working in the army and of newspaper reports from headquarters.

5) Supporting the military authorities by obtaining information about the enemy army and the conditions in the enemy's country, as well as identifying persons who were inclined and suitable for scouting.

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40. Entanglements. - The Eppner affair.

The distinction conferred on Police Director Stieber by his appointment to the honourable post of Field Police Director with extensive powers aroused, as was to be expected, much resentment in official circles, and he was also attacked in the press, probably at the instigation of his enemies, with regard to the work assigned to him, his reputation being characterized as inhumane and illiberal.

A minor incident that occurred during the first period of his new official activity gave his opponents cause to proceed against him with a fury that would certainly have ousted him from his barely attained position if Count Bismarck had not immediately recognized the real situation.

Before his official appointment as Field Police Director, which was only made on June 23, 1866 by the Royal Cabinet Order, Stieber was a Civil Commissary of the Field Police at the Imperial Headquarters in Berlin on the basis of a commission issued to him by the Minister of the Interior on May 28. In this position he already exercised the same functions that were later assigned to him as Field Police Director, based on an instruction from the Prime Minister and the Chief of the General Staff. According to this instruction, he was the acting chief of the army police at the imperial headquarters in Berlin and had to be engaged with police matters concerning the security of the army in Berlin itself. To assist him in these activities, the Minister of the Interior appointed the three officers mentioned earlier, Police Lieutenant Seyfried and Nestler and Criminal Commissioner Crusius, and since June 15 these officers had already been instructed by Berlin Police President v. Bernuth to be ready to take up their war commissariat. However, the formality of transferring them to the field police was delayed until June 27.

However, as the services of the field police were required more urgently every day due to the urgency of military events, Stieber had already been in contact with the three officers since June 20. On June 23, Stieber received a requisition from the First Public Prosecutor at the Berlin City Court, Mr. Henke, to take police action against the Prussian army supplier Eppner in Berlin, who was suspected of having supplied the Bavarian government with goods for the enemy Bavarian army and of having wilfully failed to fulfil a supply contract concluded with the Prussian War Ministry. Since this case concerned the security interests of the army, Stieber considered himself authorized to question Eppner independently about the accusations made against him, and Stieber, accompanied by the three officers assigned to him, went to Eppner's business premises, where he questioned him personally, inspected his account books and saw from them that the suspicions against Eppner were unfounded. Since no police measures appeared necessary, Stieber left without carrying out a search or confiscating the books.

When this incident came to the attention of Chief of Police von Bernuth, he went to Mr. Eppner's apartment accompanied by the criminal police director von Drygalski and asked him about the course of events, at the same time expressing his regret that he had been harassed by Mr. Stieber, who was not officially authorized to question him by the police or even to inspect his business books. Mr. Eppner took this visit by the Chief of Police as an encouragement to complain about Stieber's proceedings and therefore submitted a denunciation against Stieber to the public prosecutor's office on the same day, in which he accused the police director Stieber of unauthorized usurpation of a public office.

After this visit to Eppner, the Chief of Police summoned the three police officers assigned to Director Stieber and charged them with the strongest accusations that they had already joined Director Stieber on official business, although they had not yet been formally transferred to the field police. Thereupon the Chief of Police lodged a complaint against Stieber with the Ministry of the Interior, furthermore he initiated a disciplinary investigation against the three police officers, fined them 10 to 20 Thlrn. and finally forbade them by written order to obey any of Stieber's requisitions.

This paralyzed Stieber's activities as field police director, and when the following day (June 24th) the Prime Minister gave Stieber the order, since the departure of the royal headquarters had not yet been determined, to immediately send the three police officers assigned to him to the occupied cities of Dresden and Leipzig and to the headquarters of the Silesian army, where there was an urgent need for capable and reliable police officers, Stieber had to declare himself unable to comply because, as a result of the intervention described above Mr. v. Bernuth, the field police at the large headquarters consisted of himself alone. At the same time, Stieber asked Count Bismarck, as the head of the state administration and the highest head of the army police, to urgently take measures against any further disruptive intervention by Mr. v. Bernuth and for the officially forbid Mr. v. Bernuth to cause the three army police officers to be unjustifiably imposed with administrative fines.

Count Bismarck therefore wrote to Count Eulenburg, informing him of Stieber's complaint about the Chief of Police, v. Bernuth, to instruct the Chief of Police to place the three police officers at the disposal of Director Stieber as soon as possible and to officially quash the administrative penalties imposed on these officers. These requests were immediately complied with

by the Minister of the Interior. The Minister of the Interior disapproved of the noisy opposition of Police President von Bernuth to the official professional activities of Director Stieber, and the administrative penalties imposed by the President on the three police officers were quashed, as they had been in excusable error in their conduct.

However, this was not the end of the Eppner affair. For just like the Chief of Police, the Public Prosecutor at the Berlin City Court also took the opportunity to question the authorization of the Field Police Director Stieber to take official action against the supplier Eppner. As already mentioned above, the merchant Eppner had sent a denunciation to the Public Prosecutor against Stieber for unauthorized usurpation of a public office. Although the First Public Prosecutor at the City Court, Mr. Henke, had prompted Stieber himself to take police action against Eppner, the Public Prosecutor Goltz, who had then received Eppner's denunciation, believed he had to respond to it by sending it not to the accused for his reply, but to the Prime Minister himself, so that he could arrange for Stieber to make a statement against the denunciation. In his letter to Count Bismarck of June 27, the public prosecutor Goltz motivated this strange behaviour with the following words: "I know from the public papers, and have also heard it confirmed by other means, that Director Stieber is indeed reactive, and that he has been assigned a higher police office in connection with the war events. However, as this news has not yet been officially confirmed by the State Gazette, I believe I must have reservations about following the usual procedure for accusing officials and submitting the denunciation directly to Director Stieber for explanation."

On July 25, Stieber, to whom Count Bismarck had handed over the letter of the public prosecutor for reply, replied to the public prosecutor from Nikolsburg that a publication of his appointment as field police director by the State Gazette was in no way legally necessary, since the position in question was only a temporary one and since he had never completely resigned from the police service, but had only been provisionally placed at his disposal in 1861. - With this, the Eppner affair, which in itself was completely insignificant, had finally come to a complete conclusion.

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41. The Grand Headquarters in Bohemia. The night after the decisive battle at headquarters.

After the Prussians had defeated the Austrian troops in several encounters, the Imperial Headquarters was moved from Berlin to Reichenberg in Bohemia on June 30, 1866. In addition to the three police officers, Lieutenants Seyfried and Nestler and Detective Superintendent Crusius, the Field Police Director was assigned two trainee soldiers and two wagons to provide official assistance. Stieber travelled with his adjutant Seyfried in the same train that transported the King, Prince Karl and the immediate headquarters to the theatre of war, and had to ensure that the stations were cordoned off at the stops with the staff guard placed at his disposal, as the cordoning off by the local authorities was often very inadequate. In Kohlfurt at the station, Prince Karl approached him as Stieber was trying to avoid him and addressed him with the words: "Good afternoon, Stieber, I thought we were old acquaintances, why are you avoiding me and the King, we wanted to speak to you before. "

At 4:30 o'clock in the afternoon, the large headquarters arrived in Reichenberg, where there was terrible confusion. In a letter to his wife, Stieber recounts a little adventure he had in Reichenberg the following morning: "I had a lot of trouble with our wagons. I wanted to have brake shoes made for the further journeys on the mountainous terrain, yes, cheers, the Prussians have taken away a lot of ironwork here and had it worked and paid nothing. The journeymen blacksmiths have run away or are not working, they don't want to help the Prussian military either. I went to six blacksmiths and to all the ironmongers' shops and nobody would make me shoes, not for the money I wanted to pay first. Finally my patience ran out. I had two master blacksmiths arrested and declared that I would hold on to them and drag them along with my carts so that their arms would serve as restraining shoes, and if that didn't help, I would have the mayor arrested until I had restraining shoes. When I sent to the guardhouse to fetch soldiers, I finally found a blacksmith who made me some shoes. I must know how to help myself here à la Hinckeldey and Patzke."

On July 2, the headquarters advanced to Gitschin, near which a victorious encounter had been delivered by the Prussians on June 29. On the night of July 3rd to 4th, after the arrival of the victory message from the decisive battle at Königgrätz, the large headquarters advanced to Horitz.

"Large trains of wounded," wrote Stieber in a letter to his wife from Horitz headquarters on July 5, "were already coming towards us from the battlefield in immense wagon trains, so that we could only advance at a walking pace. We arrived in Horitz at 4 o'clock in the morning, where the King, Prince Karl and Count Bismarck had sought a camp in the small, desolate town castle during the night, as they were tired from the battle. The Prussian army was camped outside in the fields in barracks made of tree branches. General Steinmetz was busy pursuing the fleeing Austrians, and occasionally the distant thunder of cannons could still be heard. Horitz presented a picture that I will never forget. The town had been deserted by all its inhabitants since yesterday morning, it was extinct, dead like Herculaneum * and Pompeii. First 100,000 Austrians had lived here before us, then 200,000 Prussians had followed. So there was no trace of food, not a drop of wine, no milk, no bread, only bad water. No horse feed. The King and Count Bismarck had advanced the evening before without a kitchen wagon, so they had to eat a piece of bread with salt when they wanted to rest in the castle that night.

* Herculaneum[a] is an ancient Roman town, located in the modern-day comune of Ercolano, Campania, Italy. Herculaneum was buried under a massive pyroclastic flow in the eruption of Mount Vesuvius in 79 AD.

"The headquarters had to camp on the open road; we had not provided ourselves with food when we quickly left Gitschin, where, by the way, the greatest hardship had already prevailed, and were therefore in great distress. I had to beg a piece of bread from a postillion *, as our commissary bread was mouldy and inedible. At last we began to break into the houses to get in. I broke into a former inn, brought our kitchen forward and made coffee on the billiard table, as all the tables were full of dirt. Mr. Crusius found 5 eggs in a chicken coop and so we had a princely meal. But immediately afterwards the military doctors burst into the open house and filled it with wounded; ten minutes later six officers, four Prussians and two Austrians, were amputated at the place where I was making coffee. Very young, noble people; an Austrian ensign of fair complexion had both legs taken off. I soon lost all appetite. The doctors assured me that half of the people would have to die without hope, there is a lack of everything here, especially ice, which is the main thing. So I broke into another house, billeted myself and tried to sleep on an old upholstered chair, but in a few quarters of an hour I was again lying among moaning wounded people, to whom we could give nothing, as we had nothing. So I moved out again and broke into a third house, where an old,

shivering, dirty Bohemian woman appeared . . . At noon around 11 o'clock (the day after the battle), Mr. v. Bismarck appeared on the market. I could not help rushing up to him, shaking his hand and expressing my joy that he had remained unharmed. He was very friendly and I can say touched. Immediately afterwards I met the Duke of Ujest **. I asked him for a piece of bread for my trainsoldiers. He told me that he hadn't had a bite himself. "Well then," I said, "I will treat Your Serene Highness, the richest man in the country, to a cup of black coffee. " You can get an idea of the conditions here from this.

* Postillion- a person who rides the leading nearside (left-hand side) horse of a team or pair drawing a coach or carriage, especially when there is no coachman.

** Friedrich Wilhelm Eugen Karl Hugo, Prince of Hohenlohe-Öhringen, Duke of Ujest (1816–1897) was a German nobleman, politician, mining industrialist and general in the armies of the kingdom of Württemberg and the kingdom of Prussia.

"Prince Karl came down the street immediately afterwards. He squeezed my hand with tears in his eyes and told me all about yesterday's battle. The Guards had lost terribly, especially the 1st Guards Regiment. One battalion lost all its officers, so that a sergeant led the battalion. During the story, the prince turned around and wept bitterly. The prince chatted with me for an hour and explained everything to me in detail. Mr. Hiltl * from Berlin, who is here as a reporter, was also present. This is also where all differences of status end. . . . Yesterday (July 4) a courier arrived from Berlin, so that Mr. von Bismarck had to do a lot of work; I was also called to help out officially. The great man, before whom the princes of Europe tremble, was sitting on a wooden chair in a coachman's parlor of the palace, listening to a lecture. Count Bismarck-Bohlen, Privy Legation Counselors Abeken and von Keudell were also there. In the garden of the palace lay the staff guard with many fires in the bivouac. The King, the Crown Prince and Prince Friedrich Karl were walking in the palace courtyard. The generals were sitting around in all corners.

* See "Memories from the German War of 1866 " (Erinnerungen aus dem Deutschen Kriege des Jahres 1866) by George Hilti- an actor, theater director, and novelist.

https://de.wikisource.org/wiki/Erinnerungen_aus_dem_deutschen_Kriege_des_Jahres_1866#Seite_643

In the afternoon I drove our little wagon out onto the fresh battlefield, where thousands of dead and thousands of wounded were still lying around. Let me write about what I saw and experienced here. I had two bottles of wine with me, the last help for me in times of need, but I also gave away the last drop and gave it to friend and foe who were lying wounded in the open fields, in barns and in the bushes among each other..."

On July 6, the headquarters advanced from Horitz to Pardubice, the most important crossroads of Bohemia, a large and beautiful town, where Stieber took over the municipal police headquarters during the headquarters' three-day stay and installed himself and his officers in the town hall. - On July 9, the headquarters advanced to Hohenmauth and was moved to Zwittau in Moravia the following day. Thanks to the efforts of the field police under Stieber's leadership to prevent any unpleasantness between the soldiers and the inhabitants of the occupied parts of Bohemia, the mood of the population in these occupied parts had become much better in the meantime, and Stieber could give himself the justified hope that violent clashes between the population in Bohemia and the Prussian occupying troops behind the headquarters would not occur as the headquarters advanced from Bohemia to Moravia. In Zwittau, the inhabitants were calm and traffic there had returned to its old course.

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42. Stieber as police director of Brno and Nikolsburg.

On July 12, the headquarters advanced to Czernahora, close to Brno, and on July 13, the headquarters was moved to Brno, where Stieber took over the municipal police administration and headed it until the headquarters advanced to Nikolsburg.

Stieber wrote to his wife about his taking up this position the day after the troops arrived in Brno:

"I immediately went to the town hall and demanded the handover of the police administration, the post office and the telegraph office. My request was met with great kindness. There was an imperial governor and an

imperial police director here, both of whom had escaped yesterday, and I took over their functions. At 5 o'clock in the afternoon (July 13) a meeting of the magistrate took place, at which I appeared in full gala uniform and took office. The King did not arrive with his court until the evening, and I already had the honour of greeting His Majesty with the magistrate and the high clergy at the entrance to the city, where the inevitable speeches were made. The city of Brno is very rich and behaves very splendidly towards us. I am accommodated in a very noble inn with full free board. An equipage and two police servants are at my disposal, and when I go out, two Prussian gendarmes ride in front, an Austrian police servant sits on the buckboard and I play no small part. Of the newspapers published here I have suppressed five, four continue to appear under my censorship. There is also a theatre here, which is allowed to continue playing under supervision. "

In a letter to his wife dated the following day (July 15), Stieber writes:

"Even though I occupy an important position here (Brno), I am not always bedded on roses, the number of superiors is too great, and it is very difficult to deal with the higher officers, especially when one often receives completely different orders from different sides. Fortunately, everything is quite pomade * to me, as I regard the whole story as a purely temporary situation, and I realize more and more that the less one does, the better one fares. I wish with many that history will soon come to an end. War is and remains the most terrible thing that man can experience. I hope to be able to write to you from Vienna very soon. God only grant that another battle does not precede it, I do not want to experience this misery again.

* Pomade – hair cream.

"Mr. v. Bismarck has, as I see, a very difficult position among the high military leaders, especially when diplomatic negotiations are constantly intersecting with military actions (the French ambassador Benedetti came to Brno at the same time as the headquarters and opened negotiations with Count Bismarck for the establishment of peace)."

Despite his strenuous duties as field police director and police director of the larger cities in which the king's headquarters were located, Stieber nevertheless took time almost daily to write detailed letters to his wife and children, which bear eloquent witness to his truly intimate love as a husband and father. He was constantly worried about the well-being of his wife and children, and the fear that the cholera currently raging in Berlin might also

claim a victim in his numerous family tormented him incessantly. Nothing could upset him more than the absence of an expected letter from home, which happened more often as a result of the rapid advance of headquarters and the resulting delay in field post traffic.

On July 17 in the afternoon, the headquarters were moved to Nikolsburg *. "Nikolsburg," Stieber wrote to his wife on July 19, "is more mountainous than I have ever seen a city, with wonderful alpine-like surroundings. Dietrichstein Castle ** is almost as beautiful as Heidelberg and magnificently preserved. It is a property of the Austrian Minister of Foreign Affairs, Count v. Mensdorff, who brought about this whole war. When Count Bismarck arrived here yesterday, he said to me: My ancestral castle Schönhausen is a modest little house compared to this princely residence, but I won't swap places with Mr. v. Mensdorff if he should sleep in my ancestral castle. It is better for me to sleep with him than for him to sleep with me in Schönhausen."

* Nikolsburg now Mikulov is a town in Břeclav District in the South Moravian Region of the Czech Republic.

** Now known as Mikulov Castle.

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43. The peace negotiations at headquarters. A trait of the king. - Rumours of assassination. Measures against thieves on the battlefields.

Very interesting is a description of the beginning of the peace negotiations between Prussia and Austria in a letter from Stieber to his wife dated July 24:

"The peace negotiations have been in full swing here since the day before yesterday, and peace seems to have been concluded. Today at noon all the Austrian, Italian and French diplomats are dining with the King, a pretty sure sign that the whole company is united. The observations I made this morning, when I, together with the Duke of Ujest, who has become Military Governor of Moravia, gave a lecture to the Prime Minister, leave me in no doubt that we shall no longer return to Vienna, but in the next few days via Prague to Berlin.

"I very often pass through the dark secret corridors of the extensive castle of Nikolsburg, where Napoleon I lived after the battle of Austerlitz, and it is most interesting when an Austrian, an Italian, a French or a Prussian diplomat flits across the stage, and when I study all these different facial features. Sometimes our King, Prince Karl, Mr. v. Bismarck and Mr. v. Roon appear between them like calmly shining meteors. The day before yesterday evening I was in the portal of the palace when two rather poor country carriages and a Viennese cab No. 382 drove up and brought the four Austrian peace negotiators. They were the Minister of War, Count Degenfeld, the Austrian envoy in Berlin, Count Karolyi, and the Legation Councillors v. Brönner and Kufstein. I myself led the gentlemen up the palace garden. It was a great historical moment that would significantly change the map of Europe when the envoys of the proud House of Lorraine, the Kaiser of Austria, appeared at the doorstep of the former vassal, the Burgrave of Nuremberg, to beg for peace and to implore the protection of the city of Vienna, where the Counts of Hohenzollern once had to perform court services for the Kaiser. Moreover, this event took place in the conquered palace of the Austrian imperial minister. The King did not accept the legation until the next day, but that same evening Mr. von Bismarck held a confidential conversation with Mr. von Karolyi, who had met him so proudly earlier in Berlin, over a can of beer, which a chancery servant, who came down the castle hill with me, fetched in an earthen jug, which the maid (in Berlin) would not have been allowed to put in front of me for washing water. It is wonderful how inconspicuously such great historical moments take place in reality. ...

"Mr. v. Bismarck, by the way, wants to go much further than the King, but it seems that he is not quite getting his way; even the Crown Prince, I hear, is on Mr. v. Bismarck's side. The King still does not want to disregard all considerations against the other German princes. In any case, they will just sink down to empty, meaningless shadows.

However, the peace negotiations took a less favourable course on July 25 and seemed to be close to breaking off on that day. On that day, Stieber wrote to his wife: "Mr. v. Bismarck is standing up very energetically for his fatherland (it was about the formation of the new German Confederation), he wants the most favourable peace possible for Prussia and is still not in agreement with the court party. Prussia really could erect a monument to this great man. If Bismarck had his way, we would have been in Vienna long ago

... Postscript: "I have just been summoned to the palace, the continuation of the war is considered possible, let the devil be wise. I dare Mr. von Bismarck to overturn the whole peace if the conditions do not suit him. Italy has not yet agreed." But the very next day Stieber wrote: "The peace is well secured; it should be favourable and meet all reasonable demands. "

A character trait of King Wilhelm during the German-Austrian War should be mentioned here, which Stieber communicated to his wife in a letter from Nikolsburg. On the occasion of an inquiry from a Berlin wine merchant as to whether champagne was not needed at the King's headquarters, Stieber wrote: "Send for Mr. B. and tell him that Lieutenant Colonel v. Krosigk (Commander of the Grand Headquarters) has not ordered any champagne, neither for himself nor for the Court Marshal's Office. Not a drop of champagne is drunk at court here, the king has refused it because it is not appropriate to indulge where so many have to live in want. The cellar master has only 70 bottles with him, and the King has ordered that they be returned untouched."

With regard to his own person, Stieber remarks in the same letter: "For my part, I have kept myself completely aloof from the court kitchen and cellar, I have not accepted a single bite or a single drink as often as I have been invited, I have preferred to eat dry bread, but through this abstinence I have created an independent, respected position for myself. Only once did I accept a private invitation from Privy Councillor Bork. "

In addition to the regular field police and local police business in the cities touched by the headquarters, Stieber also had cause twice during the war to take extraordinary measures to secure the person of the king in the wake of assassination rumours and to concentrate his attention on this most important part of his duties as field police director.

In both cases it finally turned out that it was most probably a case of mystification on the part of the authorities. On July 10, the Foreign Office received a letter from the German Consul General in Washington, Mr. v. Gerolt, in which he informed it that, according to an anonymous letter he had received from New Orleans, there was a conspiracy by some Germans in New Orleans against the life of the King and Mr. v. Bismarck, who wanted to send determined persons to Berlin or to the theatre of war to carry out the assassination attempts. Mr. v. Gerolt had immediately arranged in New York for a careful observation of the ships sailing for Germany. Similarly, the

foreigners arriving from America were monitored at the royal headquarters in Berlin, but not one person was identified who appeared suspicious of carrying out this criminal plan. At the same time, the Foreign Office in Berlin received a report of a conspiracy by Germans in Naples and Sicily to assassinate prominent figures in Germany. The Prefect of Naples confirmed the existence of activities emanating from Germans, Austrians and Orleanist and legitimist Frenchmen. As a result, several arrests were made in Naples, but these did not lead to any further clarification of the facts.

In recognition of the services rendered by Director Stieber as Field Police Director, the King awarded him the title of "Privy Government Councillor" in Nikolsburg on July 31, 1866.

On August 4, Stieber returned to Berlin in the King's retinue, having made arrangements a few days earlier in a report to the Minister of the Interior, Count Eulenburg, to ensure that any Prussian thieves who had stolen and looted property from the battlefields and elsewhere would be called to account for their shameful trade upon their return to Prussia. In his report to the Minister of the Interior, Stieber expressed concern that a large number of the sutlers' wagons and carts trailing behind the army would be used to bring the goods stolen from the battlefields and elsewhere to safety on their return to Silesia, which was expected around the middle of August, and attached to this concern the proposal to take precautions so that the returning wagons would be subjected to strict control and inspection at the border stations on the main communication routes connecting Bohemia and Silesia. Accordingly, on August 5, 1866, the Minister of the Interior issued a decree to the Chief President of the Province of Silesia in which he ordered, in accordance with Stieber's suggestion, that the district administrators of the districts concerned be provided with appropriate instructions for carrying out the necessary inspection of returning carts by means of gendarmes to be commissioned for this purpose in connection with customs and tax inspection.

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44. The Central News Office. The Guelphic machinations.

During the armistice and peace negotiations in Brno and Nikolsburg, Stieber presented Count Vismarck with a plan according to which state

police matters were to be handled by the State Ministry in future. This plan was approved, and on August 1, 1866, the "Central-Nachrichten-Büreau" (Central News Office) came into being at the Prussian State Ministry under the direction of Privy Government Councillor Stieber.

Under this inconspicuous title, an institute then functioned for years, to which numerous important political tasks were assigned that went far beyond the boundaries of an actual press office.

The Central-Nachrichten-Büreau soon developed into a Central-Büreau of the Prussian State Police, which had the task of investigating and suppressing highly treacherous activities dangerous to the state. The Central Intelligence Bureau was set up as a special department of the Press Bureau in the Ministry of State, so it was the responsibility of the Ministry of State, but it was actually located in the Foreign Office, and Stieber, as head of this Bureau, received his salary from the disposition fund of the Ministry of Foreign Affairs. The bureau was initially concerned with the careful reading of all anti-Prussian newspapers and with researching the authors of the hostile newspaper articles and the motives behind this hostility. To facilitate this research, the bureau maintained a number of agents in the foreign states concerned. After the German-Austrian War, the bureau's main activity was directed against the Guelph * agitation, which caused the Prussian government a great deal of trouble during the years 1867 to 1870, and this activity was all the more successful because Stieber was able to take immediate police action on the basis of his agents' investigations in Hanover, Paris, London and Vienna, as he had been given extensive powers by order of Count Bismarck as special police commissioner of the state government.

* The House of Welf (also Guelf or Guelph) is a European dynasty that has included many German and British monarchs from the 11th to 20th century and Emperor Ivan VI of Russia in the 18th century.

Stieber's salary in this new official position was very low, 70 thalers a month, in addition to which he continued to receive his pension of around 1000 thalers a year.

On August 19, 1866, Count Bismarck gave Privy Councillor Stieber the commission to tour the territories that had fallen to the Prussian states as a result of the successes of the last war, in order to inform himself about the

police institutions and conditions that currently existed in these territories and to collect the materials that were necessary for the further development of these conditions. Stieber's tour lasted until the beginning of October; he was mainly concerned with the police facilities in Frankfurt am Main and made a significant contribution to their reorganization.

At the time of the Luxembourg crisis, in the spring of 1867, when it was generally believed that war with France was imminent, Stieber received the surprising news from his agents in Hanover, Paris and Vienna that recruitment drives were being organized in Hanover and abroad, and that the recruited soldiers were being sworn in under the name of the former King of Hanover. The investigations immediately organized by Stieber led to the arrest of the Hanoverian courier Trimming, with whom important papers and dispatches compromising King George were found. *)

*) The civil commissioner of Frankfurt a. M., Mr. v. Madai, forwarded the dispatches confiscated at Trimming to the Foreign Office in Berlin on May 16, 1867 through a senior police officer. When this courier arrived in Berlin at around 8 a.m. on May 17, he took the dispatches to an inn, where he cleaned himself up from the night's journey, and then drove to the Foreign Office at around 10 a.m. with the dispatches. At the Foreign Ministry, however, the courier, who had been signalled by telegraph, had already been expected for two hours in vain, and on Count Bismarck's orders the courier was questioned on the record as to the reasons for his delay. He explained that on his arrival at 8 o'clock he had thought it was still too early to deliver the despatches and that in order to hand over the despatches in a proper state he had first gone to a hotel and cleaned himself up there. When this report was presented to Count Bismarck, he made the following comment in pencil in the margin: "Cleanliness is highly praiseworthy, but service comes before washing."

These papers revealed beyond doubt that well-known members of the Hanoverian nobility, who were in contact with King George's entourage in Hietzing, had set themselves the task of forming a Hanoverian legion in French service against Prussia in the event of a war between Prussia and France. To this end, they secretly agitated in Hanover and spread a network of connections across Hanover, opened an advertising office in London and designated the Dutch border town of Arnhem as a meeting point for those who were to be induced to desert in Hanover from the ranks of conscripts and those on leave of absence in return for considerable sums of money.

On May 17, 1867, Count Bismarck entrusted Stieber with a general commission to pursue this matter as quickly as possible, both at home and abroad, and the investigations into this matter were placed exclusively in Stieber's hands. Stieber first went to Hanover, where he succeeded in arresting some of the agents working for the criminal Guelph purposes, thereby preventing many others from continuing their involvement in the plans. Among those arrested was Baron v. Holle, who appeared to be the most serious in this matter. Mr. v. Holle, however, managed to escape from prison, presumably by bribing prison officials. It was also discovered that the state treasury brought from Hanover to England at the beginning of the German war was used to form and equip the Guelph Legion. Stieber, based on the opinion that King George still had private assets with Hanoverian bankers and that these royal private assets were liable for the misuse of the Hanoverian state treasury in London, carefully checked the accounts of the bankers in Hanover and found private assets of King George amounting to 40,000 thalers with the banker Mayer in Hanover. This sum was immediately confiscated. Similarly, Stieber confiscated 20,000 thalers from the banker Simon in Hanover, which had been registered in the account books in the name of a Mr. von Bussche-Streithorst, but which, according to a letter found from the Hanoverian court marshal von Malortie, were intended to cover the royal needs. In general, extensive house searches and arrests took place simultaneously in various Hanoverian towns, right up to the highest classes.

The main result of Stieber's research into Guelph agitation during the year 1867 was the transfer of the former Hanoverian minister, Count v. Platen-Hallermund, to the charge of high treason. However, the means by which the Guelphs wanted to bring about the restoration of the Kingdom of Hanover were still not entirely clear. The Prussian government believed that the Guelph agitators were only interested in restoring the former German Confederation; but that they were striving for a situation similar to the German Confederation of the Rhine under Napoleon I, a situation in which the German states, as wards of France, were supposed to lead a political sham life, solely so that the sovereigns of these states would be in possession of their rule and their sovereign rights enjoyed the protection of France against the mighty Prussia, was not believed.

Stieber's further research in 1868 also brought light in this direction. At the beginning of June 1868, Stieber received news that a writer named Bernhard Fischer from Vienna was staying in Bad Landeck. Agents had

already informed Privy Councillor Stieber that Fischer was in contact with the Guelph leader Count von Platen-Hallermund, who was staying in Hietzing at the court of King George, and was mainly being used for literary work in the interests of Guelph agitation.

Stieber went to Landeck and, assisted by the head of the Bad police there, conducted a house search in Fischer's apartment on June 13. Two letters from Count Platen were found and confiscated, a 34-sheet document concerning Guelph activities, entitled: "The Guelphs", and other written and printed matter relating to Guelph agitation. When asked about these writings and his relationship to the Guelph agitation, Fischer gave the following explanations:

"I became acquainted with the King of Hanover in 1867 when Count Platen presented him with my poems, for which the King sent me 200 guilders. Count Platen believed he had discovered a poetic talent in me and intended to use it for his political agitation against Prussia. He therefore wrote me the letters he had found in my possession, which he had written himself, and gave me the notes and materials in the letters, which I had kept with me. The King also paid me money several times later. Minister Platen had also negotiated with me verbally about the matter in question, so that there can be no doubt that all the documents in question originated from him. As far as the plans of Count Platen: I do not know how far Count Platen's plans to incite France and the small German states to war against Prussia and the province of Hanover to revolt have already progressed."

One of Platen's two confiscated letters to Fischer from September 1867 reads: "It is important to make it clear to the German people in every possible way that King George was the only German prince who held steadfastly to his rights in the previous year and, following his honour, fought to the utmost against Prussian deceit and disloyalty and has not bowed down to this hour. This is already happening through the press, but poetry can also create something significant in this field. There is certainly no lack of poetic material here, and it seems to me that you will succeed in producing a beautiful epic. In terms of material, I enclose 1) "a poetic word" etc., 2) an essay: "The Guelphs" 3) notes".

As already mentioned, these materials were confiscated from Fischer by Stieber. The Guelph aspirations are most clearly expressed in the essay "The Guelphs". The essay contains a historical review of Germany's past and an examination of present conditions, based on the fundamental idea that the

separation of the German tribes into separate political states was the most natural and healthy thing for Germany. The memorandum concludes: "Prussia is the common enemy of all. An alliance of all small powers with France for the one common purpose of breaking this power of Prussia, of throwing it back across the Elbe after the example of Napoleon I, is, as it seems to us, a duty of self-preservation for everyone. It is still possible to fulfill this duty for oneself, because at present Prussia has not yet assimilated the newly acquired lands, because there is energetic resistance in all of them, especially in Hanover. This resistance can still be counted on quite significantly at present. However, if it continues for a number of years, it will gradually weaken, as has already happened in the other lands of this Hohenzollern state." The memorandum concludes with the words: "There is only one remedy for this terrible evil. It is to restore the balance of power in Europe by destroying the Hohenzollern state. This is the task not only of France, but, in the interest of their self-preservation, of all the smaller powers which look to France as their protector and which all look with apprehension and terror on the rise of this Prussian military state. They all have one common interest."

In recognition of the activities developed by Stieber to combat the Guelph agitations, the Foreign Ministry granted him an extraordinary bonus of 200 thalers at the beginning of July 1868.

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45. The Kenter Telegraph Office. The Paris World Exhibition. Smaller commissions until the outbreak of war.

In addition to Stieber's strenuous activity in the face of the Guelphist machinations in 1867, his efforts against the expansion of the Reuter's Telegraph Compagny in London in the Prussian capitals through the introduction of branches deserve to be emphasized from his official activities during the same year.

The Prussian government had long recognized the outstanding importance of telegraphic correspondence offices for the skilful, least noticeable management of public opinion through the form of communication of individual events and therefore, as far as this could be done without causing offence, sought to monopolize telegraphic newspaper correspondence in

Prussia. To this end, the Prussian government established contact with Wolff's existing telegraph office in Berlin, and in 1865, with the active cooperation of the government, this institute belonging to Dr. B. Wolff was converted into a joint-stock company, whereby the government secured itself a decisive influence on the management of the institute for the future.

The following decree from King Wilhelm to the owner of Wolff's Telegraph Office dated March 4, 1865, at a time when negotiations for the conversion of the Wolff Institute into a joint stock company were underway, shows the great political importance attached to this transaction by the government.

"I can only, and would, applaud the plan that has been presented to me to give your telegraphic institute a similar expansion through a stock corporation as an English stock corporation is about to do (in relation to Reuter's Bureau), I would be very pleased if proven, patriotic financial men, such as Messrs. v Oppenfeld, v Magnus, Bleichröder, wanted to come to an agreement with you on this business. It seems to me very important and necessary that such an institution be created in Prussia in order to counter the English one."

When in the summer of 1867 Reuter obtained permission from the Prussian government to set up telegraphic branch offices in Berlin and Frankfurt a. M. sought this, but this was refused because the Reuter Institute, as an English company, could not offer any guarantee that the telegraphic newspaper material would be treated in accordance with Prussian interests, and no such powerful competitor could be placed on the neck of Wolff's protected Büreau.

Reuter now tried to circumvent this ban by getting the former Prussian Hofrath Alberts, whom he had engaged as head of the branch office in Berlin (he had been head of the office at the Prussian legation in London for many years), to set up a seemingly independent telegraph office under the name "Telegraphisches Büreau für Norddeutschland" (Telegraphic Office for Northern Germany), which came into being towards the end of 1867. However, Stieber exposed this scheme of the Alberts's Bureau operation in the following year.

After following the King to Ems at the beginning of May 1867, Stieber went to Paris with several of his officers and agents, including Captain Seyfried and Police Councillor Goldheim, for the personal protection of

the Emperor of Russia and the King of Prussia during the visit of these two monarchs to the Paris World Exhibition in June 1867, where he was supported in his security police activities by the Paris police authorities at the request of the German ambassador in Paris. During this stay in Paris, an unsuccessful assassination attempt was made against the Emperor of Russia, which Stieber had reported to Emperor Napoleon in good time. The day before the assassination attempt by the Pole Berezowski, Stieber was informed by one of his agents that the Poles intended to assassinate Emperor Alexander. Stieber immediately went with this news to the Russian State Councillor v. Schulz, with whom he agreed, in order to secure the Russian Emperor, that he should not go to the great military parade taking place on the following day by the officially announced route and should return from the parade again. When the Emperor Napoleon was informed of this arrangement, he summoned Privy Councillor Stieber and asked him to explain his concerns about the assassination. Napoleon listened calmly to Stieber, but then declared that he could not share Stieber's concerns, as the French police absolutely denied the existence of a conspiracy. Napoleon then suggested to Emperor Alexander that they should attend the parade together in a carriage and then return from the parade, to which Emperor Alexander agreed. On his return from the parade, Emperor Alexander was shot at by the Pole Berezowski. The bullet hit the head of a horse which was being ridden by a groom alongside the imperial cavalcade.

In November 1869, Stieber travelled to Paris on behalf of Count Bismarck, where he was to inform himself in detail about the political and military situation in France. This trip was prompted in particular by the new military inventions of the Chassepot * rifles and the Mitrailleuse **. Stieber had already had a number of French agents for several years who had contacts in both political and military circles in Paris. With the help of these agents, Stieber succeeded in procuring valuable material for a correct assessment of France's current situation and placing it at Count Bismarck's disposal.

* The Chassepot, was a bolt-action military breechloading rifle.

** A mitrailleuse is a type of volley gun with barrels of rifle calibre that can fire either all rounds at once or in rapid succession. The French 25 barrel "Canon à Balles", was adopted in great secrecy in 1866.

In April 1870, the Prime Minister, Count Bismarck, and the Minister of the Interior, Count Eulenburg, granted the Privy Councillor Dr. Stieber a

commission to supervise the personal security of Emperor Alexander II during his stay in Ems. The great importance the Prussian government attached to this commissariat can be seen from the wording of the order of April 9, 1870, signed by Counts Bismarck and Eulenburg: “The impending presence of His Majesty the Emperor of Russia in Bade Ems in the month of May cr. requires not only an increase in police personnel there, but also the adoption of special police precautionary measures, both in Bade Ems itself and in the neighbouring towns inland and at the border, which mediate tourism leading to Ems. The Privy Government Councillor Dr. Stieber is therefore instructed to travel to Ems at a time corresponding to the arrival of His Majesty the Emperor, to take over the establishment and management of the necessary precautionary measures in agreement with the local authorities concerned and to arrange for the Russian police officers in the entourage of the Russian court to liaise with the authorities on this side. All authorities at home and abroad are hereby ordered or requested to comply as willingly as possible with the requisitions which the Government Councillor Dr. Stieber will make in accordance with this order. "

On June 1, 1870, Stieber received a confidential letter from Count von Bismarck-Bohlen from the Foreign Office, while he was in the Russian Emperor's entourage at Ems, informing him that the Federal Chancellor intended to dissolve the Central News Office, which was under Stieber's direction and maintained from the rich resources of the so-called Guelph Fund, in its previous extensive and costly form, without, however, affecting Stieber's personal position and his remuneration in any way. This news did not come to Stieber unexpectedly, since the extensive organization of the Central News Office as the central office for combating Guelph agitation was no longer necessary now that Guelph agitation had gradually become weaker and less dangerous. Other activities dangerous to the state did not come to light at the time, and Stieber's activities were essentially limited to ensuring the safety of the King's and Count Bismarck's persons and taking note of anti-Prussian statements in foreign press publications.

Although Stieber was well aware of the reasons for the dissolution of the Central News Office and could not necessarily disapprove of them, he was nevertheless displeased that the dissolution of his own creation had been decided during his absence from Berlin without him having been asked for his opinion on the matter beforehand. He also expressed this openly to Count Bismarck after his return to Berlin at the end of June 1870. As a result, Count Bismarck's relationship with Stieber became rather strained, and Stieber

seriously intended to sever his ties with the Foreign Office, especially as his financial circumstances at the time probably allowed him to withdraw completely from the business.

However, before this intention could be carried out, and before the dissolution of the Central News Office intended by Count Bismarck could take place, the unsettling events of Hohenzollern's candidacy for the throne in Spain occurred, the harbingers of the Franco-German War, in which Stieber again functioned as Director of Field Police at the King's headquarters in the same way, but with a far larger apparatus of officials, as in the German-Austrian War.

Before Stieber took over the field police directorate, he went to Switzerland for a few days towards the end of July on the orders of Count Bismarck in order to confer with his French intelligence agents, with whom he had a rendezvous on neutral Swiss soil, and to learn from them their latest observations on the political and military situation in France.

Stieber was already back in Berlin on July 31, and on the same day he went to Mainz with the king's large headquarters.

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46. The organization of the field police in the Grand Headquarters during the war of 1870/71.

The field police were mobilized at the end of July 1870 and remained in this position until May 1, 1871, i.e. for more than nine months. The staff initially consisted of a director, the Privy Councillor Stieber, three executive officers, the police lieutenants v. Zernicki and v. Albert, and the constable Kuning, and a secretary, the police lieutenant di Dio. Mr. v. Zernicki, who had to deputize for the director in his absence, was appointed police captain during the campaign.

When the Grand Headquarters crossed the French border, these field police personnel turned out to be inadequate. A very hostile, unruly population was encountered, so that the intervention of the field police in procuring the most basic necessities of life had to be used almost constantly alongside the military force. In all the larger towns the French authorities withdrew or ceased their functions so that the field police almost always had

to take over the entire civil administration in the places occupied by the headquarters.

The Chancellor therefore ordered an increase in the strength of the field police, in particular by appointing officers who spoke French. Accordingly, a constable from the Berlin Security Team was appointed to the headquarters, the former secretary di Dio was assigned to the executive officers, and in his place the writer Salingré (the well-known farce poet) was engaged for the office work of the field police, and the former artillery lieutenant Alippi was also employed as a police lieutenant, especially as an interpreter.

The closer the headquarters approached the city of Paris, the more dangerous its situation became. Particularly since Gambetta had proclaimed a general uprising of the French people and the destruction of almost all means of communication in the vicinity of Paris, there was a constant fear of assassination attempts on the high-ranking persons in the headquarters, and extraordinary security measures became necessary. With Count Bismarck's approval, Stieber therefore set up a special security service for the person of the King and another for the person of the Federal Chancellor, which required an increase of eight officers in the field police.

When the stay of the large headquarters in Versailles became permanent, Stieber, on the orders of the Chancellor, set up a formal police prefecture for the city of Versailles and the surrounding area, a district of several square miles with a population of over 100,000 inhabitants, in particular he organized a strict immigration police, took a careful written record of the entire personal status of the inhabitants and ensured that communication between Versailles and Paris was completely closed off. Accordingly, the field police was increased by 50 gendarmes on horseback, 105 reserve huntsmen with 4 officers, the two orderly officers, Captain v. Grävenitz and Premier-Lieutenant v. Kräwell, as well as a number of other police officers, including Central Commissary Kaltenbach from Metz and Police Inspector Höhne from Wiesbaden. From the end of October 1870 until the end of the war, the personnel of the field police in the large headquarters consisted of 31 police officers and other employees, as well as 157 military personnel.

In the past, the field police used numerous scouts and police agents specifically to observe the enemy. Stieber almost always had two or three such agents with him or kept them in his vicinity. Special agents were

stationed in Geneva, Bordeaux and Lyon, and several agents and field police officers were repeatedly sent to Orleans and the south of France. After the peace negotiations with France began, Stieber sent numerous people back and forth between Paris and Versailles every day to observe what was going on in Paris and to receive newspapers, letters, printed matter, cartoons, etc. from Paris on a daily basis. These consignments were so critical that some of them had to be paid for with several hundred thalers. The costs of this scouting service were largely met from the funds of the Central-News-Office.

Finally, the field police set up formal hotels in those places where the Imperial Headquarters were temporarily staying, from which almost all the inhabitants had fled and where there was a complete lack of inn facilities, and provided accommodation and the necessary food for the many deputations, diplomatic and other agents, their subordinates and servants, the couriers and postilions. The French minister Jules Favre, for example, stayed with the field police in Versailles for almost a week and was very decently entertained; in the same way, the agents and intermediaries Mendel, Hellwitz, Regnier and others were accommodated with the field police in Ferrières. The field police also had to provide the police prisoners, insofar as they could not be accommodated immediately in a military prison, for the persons detained to discuss their personal circumstances and for various police agents, with makeshift food so that these persons did not starve, since in most places food was completely lacking in private transportation and could only be obtained by military means or at considerable expense. Stieber therefore kept a special cook almost exclusively for such purposes.

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47. Advance of the headquarters to Pont & Mousson. - Capture of rapporteurs. -Noth at headquarters. - Souper at Bismarck's. Outrages against the enemy's property. - Seizure of the occupied terrain by the troops.

On July 31, 1870, Stieber went with the large headquarters to Mainz, where on August 5 his functions began with the investigation of several alleged spies. "My functions too," Stieber wrote to his wife on the day in question, "began today, when our outposts on the enemy line arrested seven

alleged spies, who were transported to headquarters and brought before me for the preliminary investigation. The people proved to be harmless but bold reporters for English and American newspapers, one of them, an American major, is even a most charming man of rare education, who has been in all the wars of the various nations for fifteen years. So I have released them all. One Englishman was shot near Saarbrücken as a victim of his curiosity, another was wounded. These alleged spies have given us an expert account of all the events of the outpost battles so far. The percussion-pin rifle is decidedly superior to the Chassepot, and the Prussian soldier is much calmer and more intelligent."

On August 7, the headquarters were moved from Mainz to Homburg at der Hardt in the Bavarian Palatinate, 2 miles from the French border, from where Stieber wrote to his wife the following day: "Suddenly we are transferred from the beautiful, shining Mainz, where it was still a paradise, to the misery of war. Even on the way we had practically nothing to eat and nothing to drink, as we were completely separated from our train. A sausage and a piece of bread from Count Bismarck's supply saved us from hunger. Homburg a. d. H. is a miserable little mountain town. There are already 31,000 men camped there, of course partly in the open field, and now the elite of the headquarters suddenly arrived (with the courier train) without making any quarters. Count Bismark himself had only a poor piece of veal with potatoes for supper, which he had the goodness to share with me in a miserable chamber and to refresh me with a cognac, as I had unfortunately travelled from Mainz without provisions, not expecting such misery here."

On August 9, the headquarters were moved from Homburg to St. Johann and Saarbrücken, where, with Stieber's assistance, very serious decisions were made about the appearance of the German troops in France. Martial law was to be proclaimed immediately wherever the headquarters moved in. Stieber was appointed prefect of the department first occupied by the troops, and he was also to be the mayor of the place where the Imperial headquarters would be located. Zernicki was to reside with the King and Stieber with Count Bismarck each time the headquarters advanced, as these two officials were to have special responsibility for the personal safety of the King and the Chancellor in enemy territory. Furthermore, it was decided that in all places where the population would behave in a hostile manner, all inhabitants would be expelled from the houses intended for the Imperial Headquarters, so that the headquarters could completely cordon itself off.

On August 11, the Imperial Headquarters passed the French border and advanced to Saint-Avold, where it found a much better reception than had been expected. The reason for this was that the inhabitants were for the most part supporters of Orleans and not of Emperor Napoleon. "The inhabitants," wrote Stieber to his wife on August 12, "are very friendly to us, even ask the temporary officers themselves to come to their quarters, and also bring horse feed, so that we have no need for harsh measures and have not proclaimed a state of siege. Things are going better than we thought. Of course, our caution does not fail us, we are very much on our guard, and our covering troops have formally entrenched themselves. The French withdrew all the authorities as we approached, and the town is without any administration. I found the mare arrested by the previous commander because he wanted to conceal some French soldiers in the town. The whole town hall was empty, many Prussian soldiers were camped in straw in the meeting rooms, I only found two adjuncts (town councillors). I immediately took possession of the town hall and proclaimed myself mayor of the town of Saint-Avold, and also organized the administration to some extent. I released the mayor again at the request of the inhabitants, as he is otherwise a reasonable man and one cannot blame him for his actions. I also intervened severely in several cases where Prussian soldiers wanted to do something illegal.

Stieber also had the opportunity to act as fire chief in Saint-Avold. Shortly before the troops left the town, a fire broke out in a building there, which gave rise to fears that other houses would be set on fire. Stieber therefore made short work of it and had a company of hunters tear down the entire burning house. The house was completely lost, but the fire was contained.

From Saint-Avold the headquarters advanced to Faulquemont on August 12 in the afternoon, and in the evening of the same day Count Bismarck, at the evening meal attended by Counts Bismarck-Bohlen, Lehndorf and Redern, as well as Stieber, announced to these persons his firm intention of never again surrendering Alsace-Lorraine to France. "Yesterday evening," Stieber wrote to his wife, "I dined with Bismarck-Bohlen, Count Lehndorff and Count Redern, aide-de-camp to Prince Friedrich Karl, at the Prime- Minister’s residence. The five of us were alone, only Hofrath Taglioni came and went. The Minister had made his own coffee and we sat in a miserable peasant's hut. Count Bismarck was alone with me for a long time and we went through our past in confidence. I was very open and honest, as was the minister. He concluded with the words:

"What a lot can become of a Pomeranian country bumpkin whom the whole world used to dislike." I believe we will never give up Alsace and Lorraine again. I must confess, that was the most interesting evening of my life. Our conversations are perhaps part of world history. Bismarck is certainly the greatest man in modern history and I am proud to be in such a position with such a man."

Almost all the inhabitants of Faulquemont, a small town of 3000 inhabitants, had fled as the German troops approached, and some 120,000 men poured into the town. "From all sides," Stieber wrote to his wife, "the army corps poured in and very soon the passage was closed. The shops were closed, all communication was suspended. The mayor threw himself desperately at my feet. But despite all my efforts, and although I finally requisitioned 50 Gensdarmen, I was only able to establish superficial order, and I came close to shooting down some marauding sutlers * who refused to obey with my revolver. The giant Kuning (a guard in the field police) in particular did a superhuman job. Prince Karl himself arrested six Hessians, as we wanted to uphold the honour of the Prussian army and avoid plundering. I didn't make a big deal of it afterwards, otherwise the guys would have been shot. The Hessians had also spent three nights lying in the fields in the rain when they arrived in the deserted town. The king didn't stay long in Faulquemont. I was also so annoyed by the innkeeping there that I left immediately, although they wanted me to put things in order; it was impossible."

* Sutler - a person who followed an army and sold provisions to the soldiers.

In this letter from Faulquemont, as well as in a subsequent letter from La Vandresse dated September 1 and in three later letters from Versailles dated December 1870 and January 1871, Stieber complains about the excesses committed by soldiers of individual parts of the troops against the property of the enemy. In the two letters from Faulquemont and La Vandresse, these complaints refer to soldiers of individual, specifically designated army contingents, whereas in the later letters from Versailles they refer to soldiers without distinction of army contingents. The tone of indignation in which Stieber expresses himself in the letters to his wife about the outrages, although they occurred only sporadically, indicates on the one hand the disgust with which they were judged at headquarters and by military superiors, and on the other hand proves that these outrages were exceptions to the general rule.

On August 16, the headquarters advanced from Faulquemont via Herny to Pont-à-Mousson, a very pretty little town on the Moselle with a population of about 8,000, where the headquarters personnel found good quarters and were able to recuperate after their previous exertions. The food available in Pont-à-Mousson had been used up by the troops who had advanced ahead of the headquarters, so that the inhabitants had nothing to satisfy their hunger during the following days. In a letter to his wife dated August 18, Stieber relates that his lodger, a retired colonel (a nephew of Marshal Davoust under Napoleon I), who was very rich, and his wife, a well-educated lady, had to beg a piece of bread from Stieber the day before, because they had not eaten for three days. "We are," Stieber described the conditions in Pont-à-Mousson in the aforementioned letter, "completely ruining this beautiful town. Soon starvation typhus and hospital fires will break out. The mayor is strongly French, but a capable and energetic man who sacrifices himself for the good of the town. Prussian soldiers had attacked here at the beginning and he intervened very energetically to urge the inhabitants to be patient, otherwise the town would have been destroyed. So I left the mayor in office, and of course took him under strict control; the man deserves admiration.

"I have orders to proceed here with the greatest severity and ruthlessness. Yesterday in the village of Gorze a French peasant shot at a wagon full of Prussian wounded. The fellow escaped safely, two wounded men still had good feet, they immediately jumped into the house and caught the fellow. They hung him up with a rope under his arm in the same house and then slowly shot him to death with 34 bullets. Yesterday he spent the day hanging with two military guards as a warning. - I have forbidden the ringing of bells in the town and 3 miles around it on pain of death, so that the mob cannot ring the bells by storm; the clergy in particular are our enemies. I have had all the bells cut off and the steps of the church towers chopped down; this is where all the fun ends. "

In a letter dated August 22 from Pont-à-Mousson, Stieber wrote about the conditions there: "Although we behave very decently here, and we Germans are such good-natured fellows that we are terribly annoyed at being cruel and rude, we are nevertheless sucking the country dry. We are taking away all the horses and wagons, all the cattle, we are destroying all the railroads; for weeks now the third part of all the French railroads has not brought in a penny. We are taking all food for ourselves, masses of wine and beer are being destroyed, all avenues and trees are being felled, all transportable wood is being burned in bivouac fires. All stores are closed, all business is at

a standstill, all factories are at a standstill. It must be a terrible feeling for the proud French to see our soldiers living in their best rooms, lying in their beds, while they lie on straw in the kitchen and in small adjoining rooms and still have to serve and feed the foreign invaders. At the same time, we behave as politely as possible. It's a peculiar feeling to be able to rummage around in someone else's cupboards and take what you can't do without.

"Incidentally, we (the officers of the field police) are by no means walking on roses here; there is often enough unpleasantness and trouble. It is generally difficult to deal with the high military officers, all passions are terribly excited here, and everyone is anxious and suspicious of every word. One cannot therefore be too careful. On the one hand, one must have great patience and forbearance, but on the other, one must also take a very firm and energetic stance against arrogance and rudeness. Here in our department I represent the energy and rudeness, Mr. v. Zernicki (Stieber's adjutant) the kindness and politeness. This happy mixture has usually helped us through. We have still retained our sense of humour, and God will continue to help us."

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48. From Commercy to Sedan. Bismarck is sold for a piece of butter and cheese. - illumination. - The evening after the battle of Sedan at headquarters.

After a seven-day stay of the Imperial Headquarters in Pont-à-Mousson, during which the great decisive battle at Gravelotte was fought on August 17 and 18, the headquarters advanced on August 23 to Commercy, where neither French nor German troops had yet come. Stieber found everything there intact and in perfect order and the French civil administration in full operation. For the first time, the headquarters was received here not only by the mayor of the town, but also by the prefect of the department. There was also no shortage of food in Commercy, and the population was accommodating. "Here, for the first time in France," Stieber wrote to his wife, "we find a flourishing, unspoiled region, even grazing herds belonging to the inhabitants and passable hotels.

On August 25, the headquarters were moved from Commercy to Barle Duc. On the way there, the King met the Crown Prince's army in Ligne,

where the King and his son, surrounded by the German princes at headquarters, Count Bismarck, Moltke etc., greeted each other warmly in the open street. The townspeople stood around this group as comfortably as in Potsdam at military parades, and were particularly fond of Bismarck.

"A fine lady," Stieber wrote to his wife about this incident, "had a great desire to see the Count Bismarck, I once again played the clever one and said: You may see Bismarck, you may even stand close to him, but get me a piece of fresh butter and cheese. Right, she went with us (with Stieber and his staff) to an inconspicuous locked house, and we were given 4 chairs and a table, butter, cheese and wine in a small courtyard. We had bread with us. This was the first fresh butter and cheese in weeks. We had a wonderful breakfast were thankful to Bismarck. He was well worth a piece of butter and cheese. I kept my word, the lady took a very close look at the Bismarck. Incidentally, I can assure you that the lady was no longer young. Even if she had been young herself, I would have preferred fresh butter and cheese to any other coin. Cheese in particular was absolutely lacking. - In some places there is yet another hardship of which you have no idea, there is an absolute lack of illumination. This shortage is almost as bad as the water shortage. There is no kindling here, there are no lights to be had, you would want to burn a house to be able to see. I always carry several pounds of fuel with me now, since I sat in darkness for two evenings in Herny. "

In Bar le Duc, a beautiful large town of 20,000 inhabitants, there was no hardship, as only a few troops had marched through. The headquarters personnel still found table d'hôte * in the Hötels, as well as good Swiss pastry shops and open, beautiful stores. "Here," Stieber wrote to his wife, "our misery has come to an end. This morning I had a nice coffee with milk and sand cake, last night I had a nice five-course dinner and a bottle of champagne, enough, this is Little Paris. I can't ditch Count Bismarck here for a piece of butter and cheese. But I have a lot to do here, as this was the seat of a provincial government, a large prefecture, and we have to set up a new administration. Count Bismarck invited me to his house yesterday (August 24) evening for tea, where this new province was organized. The mayor of the place continues to function under my supervision, Count Hatzfeld has been appointed prefect, who will probably remain here after our departure."

* A table d'hôte (French: literally 'host's table') is a menu where multi-course meals with only a few choices are charged at a fixed total price.

"Count Bismarck is extremely kind to me. In general, I can't complain about my position here, I enjoy general respect and recognition, but I also walk and run all day and help out in all directions."

A rumour that the mayor of Barle Duc had had Germans arrested in order to protect them from the fury of the French population prompted Warden Stieber to have the prison there searched in order to free any innocent Germans who might be inside. This search, which took place under the leadership of a dragoon cavalry captain, revealed the complete groundlessness of the rumour.

On August 27, the headquarters advanced through the Argonne Forest to the tiny, poor mountain town of Clermont, where there was complete famine and a lack of water for the approximately 1000-strong headquarters and some 60,000 soldiers who were there to cover the headquarters. Dry bread was weighed out with gold. For two days the headquarters had to camp in this miserable nest. On August 29, it advanced to Grandpré, where better rations were provided, the following day the headquarters was moved to Buzancy and on September 1, it advanced to La Vandresse.

"What we have experienced in the last few days," wrote Stieber from La Vandresse to his wife on September 1, "where we are constantly changing headquarters, is beyond imagination. The columns of provisions can no longer follow us in the chase we are making behind the fleeing French, so our army has to feed itself in enemy territory. I can no longer protect the property of the people, we have to feed ourselves by force. This creates horrible conditions. I myself would rather ask for a plate of soup from the King's servants than to requisition it myself, and the Prussian soldiers only take what is urgently needed so as not to perish.

Stieber describes the scenes that took place in the Imperial Headquarters on the day of the Battle of Sedan and the following night in a letter to his wife, which was sent on the night of September 1-2.

"At five o'clock this morning, our aged king left for the decisive battle with Bismarck and Moltke. I was already standing in front of his door, ready to go. ""Today the battle will take place, "" shouted Count Waldersee, the adjutant, who was traveling with us, and the king smiled affirmatively at us. At 7 o'clock we could already hear the thunder of cannons, and at 11 o'clock we could already see large columns of fire in the sky. The cannons thundered until 4 o'clock, then suddenly the thunder

receded to the north. Hurrah! was the cry from headquarters, the French are going back. Nobody came to dinner, not the king, not Bismarck, not the general staff, no news came, only stronger columns of fire rose on the horizon. Finally, a private from the staff guard rode up and brought vague news of the victory: the French had been pushed all the way to the Belgian border. So it was 8 o'clock in the evening, no news from the King or Bismarck. Suddenly we hear shouts of hurrah from the bivouacs around us. Prince Pless comes riding up and announces the good news: the French have been thrown and have tried to retreat to the small fortress of Sedan, which has been set on fire. Napoleon has sent his aide-de-camp, Count Reille, a letter in his own hand to our king asking for mercy. The Prince read the letter himself, standing close to the King, and told us everything from his own experience. Immediately afterwards, the King's aide-de-camp, Count Lucadou, burst into the town, shook my hand and confirmed everything. The King follows behind him, Moltke and Bismarck have remained on the battlefield to determine the terms of the surrender with Napoleon. The king wants to rest with us for the night

I immediately rush to the mayor, have all the houses forcibly illuminated, light a great bonfire in the marketplace, similar fires of our troops blaze up on all the surrounding mountains of the Ardennes; the troops step under their guns, a general march is sounded, and the king approaches from the battlefield. The troops shout: Hurrah! the military music plays: “Hail to you in the wreath of victory, we sing the vigil on the Rhine” - so the king drives up to his quarters. We all rush to him and shake his hand. He sees me getting out and says to me: "Yes, yes Stieber, it's all right, who would have thought it!"

The following day, Privy Court Councillor Schneider (Stieber was unable to write to his wife from Sedan on this day, when he was constantly busy on business) wrote to Mrs. Stieber: "Vivat! I have just returned to Vändresse with your dear husband from Napoleon's capture. He is well, that is the main thing for you, dear wife! The events we witnessed are great for all time! Tomorrow we go straight to Paris via Rheims."

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49. The headquarters in Rheims, the Capua of the German troops. * - Stieber's mild demeanour in Rheims.

After the capitulation of Sedan and the capture of Napoleon, the Grand Headquarters advanced on September 4 via Rethel in Champagne to Rheims, the capital of Champagne, where it took up quarters for the next ten days until September 14 and found a barely imagined, brilliant reception, which stood in sharp contrast to the hardships of war so far.

* “The Capua of the German troops.“ is a reference to the siege of Capua which was fought in 211 BC, when the Romans besieged Capua.

At noon on September 4, Director Stieber hurried ahead of the headquarters to Rheims to make all the arrangements for the reception of the headquarters. The town was already occupied by several battalions, which had driven out the French troops that were still there the day before. Covered by a squadron of dragoons, Stieber, the Prussian prefect, entered Rheims. So many troops were quartered in the town that there was one soldier with a loaded needle gun for every inhabitant and one cannon for every house, and two cannons for some houses. The king arrived in Rheims with Bismarck and his entourage at 4 o'clock in the afternoon and was lodged with the archbishop in the same rooms next to the famous cathedral where the kings of France have always stayed for their coronations. When the headquarters moved in, all the stores and coffee houses were closed. Stieber immediately ordered all these businesses to open within three hours. This order was obeyed before the three-hour period had expired, not to the detriment of the owners, who had done quite good business while the headquarters were in Rheims.

Soon after assuming his office as prefect, Stieber also had the opportunity to intercede with the military command in favour of the inhabitants, thereby gaining the goodwill of the local population. The first hussars to enter Rheims were shot at from one of the houses, which was then razed to the ground. The owner of this house had the intercession of the Prussian prefect to thank for the fact that the order was withdrawn. The town of Rheims expressed its joy at this by giving the hussar squadron that had been shot a gift of 200 bottles of champagne.

Stieber and his four police officers were given a sumptuous lodging by the widow Pommery, a multiple millionaire and owner of the famous champagne house. "For each type of wine we drink," Stieber wrote to his

wife on September 5, "we have a special room, characteristically furnished and carved, one for Champagne, one for Bordeaux, one for Burgundy, one for Rhine wine. I live alone with four officials in a princely palace with a paradisiacally beautiful garden. Mrs. Pommery has put her entire house at my disposal, I'm only supposed to stay with her so that she doesn't get mean soldiers. I have as much champagne from the fine Pommery brand at my disposal as my heart desires. The lady is all alone with her daughter and trembling with fear, as she was accidentally shot at when our troops moved in. Our dinners here are princely. I just want to be able to send you the peaches and grapes. Four servants wait on us at table; what a sudden change after such great privations!"

"Last night (wrote Stieber on September 7) was the first time in a long time that I slept properly. Of course, I lay in a silken four-poster bed with green curtains; I only wish I could take this bed with me. The most beautiful classical oil paintings, alabaster and marble statues surrounded me. Last night we had a dinner at which every wine was prize-winning. You have no idea about the dessert. I have never seen such grapes, peaches melons etc. . . . In general, as Prefect, I have had quite a favorable mediating effect here; a good relationship is beginning to emerge between the citizenry and the Prussians. The Red Republic has been proclaimed in Paris. The local bourgeoisie, including many millionaires, fear the French and ask the Prussians for protection against the new government."

"Yesterday (wrote Stieber on September 9) was insane. Pommery gave us a large dinner, to which Count Waldersee, the aide-de-camp of our king, Privy Councillor Schneider and other persons were invited. There were wines of which we have hardly any idea. Crazy. Pommery made a very wittty toast: "You Prussians may have taken the weapons from the men of our city, you have burnt and smashed our weapons, but you have not taken the weapons from us women and cannot take them from us, the weapons of kindness, of hospitality, the weapons of our eyes and hearts. We want to use these weapons to the fullest extent so that you will turn from victors to vanquished. . . "" *)

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* In a letter to a Parisian newspaper ("Voltaire") dated April 12, 1883, the widow Pommery in Rheims published a statement regarding Stieber's letter about his stay in Rheims, in which she describes the description of the luxurious facilities in her house and the description of her accommodating behaviour

towards the Prussians who were quartered with her as very exaggerated and inaccurate, and also mentions some incidents that have not yet become known: "Left completely alone with my daughter at the head of my business, I asked Mr. Dauphinot, then mayor of Rheims, on the arrival of the Prussian troops, to give me preferably senior officers and family men in my quarters in order to have more security. I did indeed have the police prefect Stieber with me for eight days, along with all the journalists accompanying him. On the day of his arrival he had the Prussian flag hung on my door. Informed of this, I explained to him that I would leave the house immediately if he insulted me in this way. He was so astonished at my agitation that he replied: "The street is full of our soldiers, I cannot allow this to be removed. " Give me permission, I told him, and I will take it upon myself. - "I'll give it to you," was his reply. I ordered two of my workers to take down the ominous flag. It was quickly done and the rolled-up flag was given to Mr. Stieber, who had it attached to the door of another house where his offices were. On the day of his departure, Mr. Stieber asked me ironically if I had any orders for Paris, where he would be in eight days. Instead of any reply, I wrote: "I am so sure that the Prussians will never get into Paris that I sign the following: I request the head of my depot, 18 Boulevard des Italiens, to let the bearer of this ticket take all the wine he wants when the Prussian army enters Paris. Mrs. Pommery." And I handed him the paper. I have the letter that Mr. Stieber wrote to me from Germany after the war, in which he returned the letter and his signature. I have it at my disposal. (So Stieber did not make use of the lady's frivolous offer). As far as the luxury of my house described by Mr. Stieber is concerned, everyone can confirm the unqualifiable exaggerations of this story. As the victor, he took the rooms he liked; I must add that he left me mine, a very modest one, by the way. The Prefect of Police neither understood nor spoke French well enough to be able to translate and interpret a conversation such as that alluded to in his letters. The one to which he alludes must have taken place when the Prince of Hohenlohe lodged in my house and received all the high Prussian personages who passed through Rheims, such as Count von Waldersee, who did indeed come to my house. When the latter expressed his astonishment at seeing me alone with my daughter so quietly in my house, I replied that I had been fortunate to have seen only well-bred people in my house up to now, but that if it should be otherwise, I would know how to command respect, and I drew a revolver from my pocket, which never left me. At this sight the Prince of Hohenlohe, Governor of the five provinces, pointed out the express prohibition of possessing arms, which was posted in all the streets. Count Waldersee then said to me: "Keep your weapon, Madame, it is not the Prussians who disarm the ladies, but rather the ladies who disarm the Prussians." And I was given permission to keep my revolver. If

Prince Hohenlohe and Count Waldersee can deny these facts, let them do so. I would like to add that I have never used the influence of the high Prussian personalities who came through to me during the war other than to ask for and sometimes obtain daily expressions of mercy in favour of the unfortunate people who turned to me during those sad days. Please approve, etc.

Widow Pommery."

"Bismarck is extremely gracious to me. He sends for me five or six times a day. Every morning, when he is drinking coffee, I have to come to him and chat with him about how things are going in Rheims. He always negotiates with me personally and is very open about all things against me. The king, too, becomes more friendly towards me every day. The noblest lords do not hesitate to visit me. They all have requests and wishes and, thank God, I know how to please them all.

"We are gradually beginning," Stieber wrote his wife on September 10, "to make friends with the inhabitants of Rheims, trade and commerce are reviving, I have also reopened the postal service. The French are gradually realizing that we are not cannibals, that we are gentle and sensible and that they can live quite well with the Prussians. I have revived the local newspapers (one conservative and one democratic), which had been absent for several days, and the people are quite happy about this too, except that I have a lot of work to do supervising them. Count Bismarck is very interested in this restoration of the French newspapers. "

The proclamation of the Red Republic in Paris caused a complete shift of parties in Rheims. The strong conservative party in Rheims feared the Republic more than the Prussians and asked for a permanent strong Prussian garrison. The republicans in Rheims, on the other hand, also staged a small revolution in the magistrate's office by ousting the very sensible mayor, Mr. Dauphinot, from his position and replacing him with a convention of 10 citizens. When Stieber became aware of this, he immediately intervened as prefect of police and addressed the following characteristic opening to the mayor on September 8: "I informed you on the 6th of this month that the functions of prefect for this department have been transferred to me by His Excellency Count von Bismarck and that the military commander of the square has presented me to you in this capacity. I have left you here in your position as mayor and my governorate has approved this measure of mine. To my astonishment, I read today in a local newspaper the minutes of a meeting of the local magistrate, according to which you have resigned your

office as mayor in view of the circumstances that have arisen in Paris in the meantime. A convention of ten citizens has taken your place. I have been instructed by Count von Bismarck to inform you that such a procedure will not be tolerated. You are recognized as mayor by the Prussian Governorate, and while you are under the protection of the Prussian arms, the events in Paris cannot make any impression on you. Changes in the administration of the city may not take place without my authorization and still less without notification. My governorate hereby gives you the most measured order to remain mayor, to dissolve the so-called administrative committee immediately and to remain in the honourable position of mayor until my governorate deems it appropriate to dismiss you. If you do not agree to this, a heavy war contribution will be imposed on the town of Rheims in order to bring about an orderly administration of the town and to safeguard its interests, which are dear to us all. "

Immediately after its official publication, this opening, which left nothing to be desired in terms of clarity, prompted the opponents of the previous mayor to ask him to take over the leadership of the city again, which Mr. Dauphinot complied with after the convention had quickly dissolved.

This mild demeanor of the field police director towards the French local authority in Rheims, as well as his generally humane behaviour in the conquered territory, insofar as the population there had not risen up against the Prussian troops, was judged disparagingly in individual German newspapers, especially as a result of the affair with the mayor of Rheims, which soon became known. When Mrs. Stieber sent her husband several such newspaper clippings a few days later, Stieber replied to her in a letter from Ferrières on September 21:

"The mayor in Rheims was appointed by Napoleon, is an imperialist and compromises himself politically if he remains mayor under the Republic. He himself wished to be forced to do so, so that he would be covered on all sides. That is why the matter was made so public. Believe me, if it had been necessary and right, I would quite calmly have had the mayor and the ten members of the Convention hanged in front of the town hall, for that I am Stieber. But it was not necessary. The following should also be considered. The provinces in France have behaved very well towards us. I have not come across a single case of serious dissent. The newspapers lie about murdered and poisoned Prussians. When I investigate this on the King's orders, it always turns out to be a lie. Only Paris and its

immediate environs are vile. Paris has constantly ordered the provinces to rise up against the Prussians. If it had happened, we would have been lost. One cannot fight step by step against 30 million Frenchmen. The provinces did not rise up, that is why we have come this far. We must avoid an uprising of the rural population. The best way to do this is to behave in an intelligent and humane manner. Rheims is furious with Paris and does not pretend to be deceitful. My purpose was only to preserve the mayor as a remnant of the overthrown but orderly Napoleonic administration and to eliminate the Republican Convention. If a simple protocol was enough, why should I use stronger means and embitter the city? I immediately achieved my purpose and won everyone's hearts. People were sorry seeing me move to Rheims. “

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50. The headquarters in Meaur and Ferrières. Stieber as housekeeper and Salingre as a farmer’s wife. - Premium subscription for regicide. Peace negotiations. - Pheasant hunt.

On September 14, the headquarters advanced from Rheims to Chateau-Thierry, and on September 15 they continued on to Meaux, which is four miles from Paris. "While up to now," Stieber wrote to his wife on September 15, "the population has met us without any reaction, the scene has changed completely a mile from Meaux. We are now in enemy territory, the hostile wind is blowing ice-cold from Paris. All the villages are completely deserted by their inhabitants, not a living soul to be found. Sometimes the people are stuck in the forest, sometimes they have been stupidly dragged to Paris to increase their hunger there later. Fortunately, we still find livestock and food in abundance. Even here in Meaux, a town of 18,000 inhabitants, almost everything has fled to Paris. I have to focus my attention here more on the safety of our leadership than on the administration, although I immediately proclaimed myself sous-prefect again."

Two days later Stieber wrote to his wife: "Here in Meaux we have already settled in again with the inhabitants who stayed behind, they realize that it was nonsense to flee and would like to bring back those who fled at all costs, but now it is not possible. Our Prussian discipline, our moderation and our unwavering energy impress people wherever we stay. . . . . I have set up a small inn, bought a clean water bucket and an unclean bucket, we are scrubbing up properly and washing dishes, for which department Salingré

is particularly talented. On his return, he wants to do away with the maid and scrub up himself. We have also learned to heat and make beds, and it is not unusual to be disturbed in this work by a visit from a prince, count or general. We also bought lights and repaired the lamps of the house (Stieber and his staff were quartered in a completely abandoned daughters' boarding house). Well, the old schoolmistress will be pleased when she comes back one day and sees her boarding house, everything is in order, what was she worrying about? "

Stieber obtained daily news and newspapers from Paris through his scouts, and it was not pleasant for him to see from the Paris papers that a public subscription of 3,000,000 francs was being organized, namely 2 million for the murderer of King Wilhelm and 1 million for the murderer of Count Bismarck. As a result, Stieber looked after the King and Bismarck day and night, and the number of field police in Meaux was also significantly increased. Police Lieutenant von Zernicki slept with two guards in the King's quarters at night, the relevant military patrols were led by police officers and two officers were stationed at Bismarck’s sleeping quarters.

On September 19, the headquarters were moved to Lagny, and the king took up quarters with Bismarck, Moltke, Roon and the director Stieber and his officials in the castle of Ferrières, which is close to the city and, as is well known, belongs to the Parisian Baron von Rothschild. "The richest man in the world," Stieber wrote to his wife, referring to the first impression the castle of Ferrières made on him, "is the Parisian Rothschild, the most beautiful country in the world is France. In this most beautiful country, the richest man owns the most beautiful castle that has perhaps ever existed. The splendour of the castle is so great that the king, when we introduced him yesterday, said in astonishment: ""Not one of us one cannot have such a thing, only Rothschild can. ""

On the day of the King's arrival in Ferrieres, Jules Favre, currently Minister of Foreign Affairs in the Revolutionary Ministry, accompanied by two legation secretaries, reported to the Prussian outposts as a parliamentarian with the wish to speak to Count Bismarck. Stieber wrote about this first attempt to negotiate peace to his wife on September 20: "The commanding officer led Mr. Favre and his companions to me in the castle, where I was on guard duty. One of the two legation secretaries handed me his card with the request to speak to Count Bismarck or Baron Keudell. The peace negotiations lasted all night, during which I had to supervise the

parliamentarians. I hear that they are not hopeless, the French are finally weary, and Strasbourg and Metz must fall at any moment. Our demands are clear: the German part of Alsace and Lorraine and the costs of the war."

Ten days later, Stieber wrote to his wife from Ferrières: "The peace negotiations have completely broken off, Count Bismarck simply declared to Mr. Jules Favre, when he approved everything, but did not want to cede any provinces: "I want and must have Alsace and Lorraine, as far as it is German, and if I am to send three more such armies to France and if the war is to last for three years, and if the world is to become desolate, I want to have peace from France for once and settle accounts with France!" -

It is well known that in Berlin, when the news of Sedan's surrender and Napoleon's capture spread, a young boy, full of enthusiasm, climbed the equestrian monument to Frederick the Great opposite the royal palace and placed a laurel wreath on old Fritz's head. This act was cheered by the Berliners in the first hours of enthusiasm, but later disapproved of by the more sensible inhabitants, as the monument could very easily have been damaged by climbing up it. When the king saw a photograph of this improvised decoration of the monument for the first time in Ferrières, "he was," as Stieber informed his wife, "quite beside himself at this misuse of the precious, irreplaceable monument. He made his astonishment known to the Queen, and even more so to the Chief of Police, and strictly forbade the repetition of this mischief, which can so easily cause damage. "

The first few days of the headquarters' stay in Ferrieres passed fairly quietly and Stieber was once again able to relax with his officers and enjoy the many pleasures that Ferrières offered with its orchards and other amenities. But the peace did not last long. "After the first quiet days," Stieber wrote to his wife on September 27, "there has been a terrible hustle and bustle here lately. One parliamentarian and confidant chased the other, sometimes several were here at the same time, where one was supposed to know nothing about the other. Jules Favre was followed by a confidant of the revolutionary minister Gambetta, then a confidant of Napoleon, then even an agent of the Pope, then a messenger from the Emperor of Russia, then emissaries from the democratic German party, then military police and couriers from all parts of the world, and counts and princes of all kinds who are appointed prefects and civil commissioners. As there is no hotel here, there is a lack of houses and food, we must keep a strict watch on everyone

and no one may be allowed into the castle, my room is the meeting point for all these elements. There, too, we all have to share our camp on the ground, our meagre provisions, I have to make coffee and tea for everyone, arrange carriages and lodgings for everyone, convey their letters and dispatches, arrange the conferences, and so on. There is no rest day or night. Dozens of peasants and wives complaining about soldiers, howling and crying. Sometimes I don't know where my head is. One secret instruction leads to another, and sometimes I spend half the night with Bismarck or his advisers. Zernicki helps me faithfully. We have to be extremely careful, because we are in the midst of dangerous people just outside Paris. "

However, this restless activity only lasted a few days. On September 28, Count Bismarck, taking advantage of the absence of the king, who had gone out to join the siege troops, organized a pheasant hunt. "There are pheasants here (in Ferrières Castle Park)," Stieber wrote to his wife on Sept. 29, "as big as peacocks and as numerous as sparrows. Bismarck shot three roosters. I have rarely seen him so happy. Since all hunting rifles have been taken away and burned on pain of death and all shooting supplies have been destroyed, it was impossible to obtain hunting rifles and ammunition. My ingenuity had to help out again, and soon I arrived with two precious Lefaucheux rifles with cartridges whose hiding place we knew. We drove the pheasants like flocks of sheep, and Bismarck shot three splendid cocks. I don't think he could have enjoyed beating Napoleon more than the one splendid cock he brought down from the tree. Last night I received several magnificent pheasants, wild rabbits, etc. as a gift from the other hunters, who all took advantage of the King's absence, as one is otherwise not allowed to shoot."

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51. Versailles. - Friendly reception. - Stieber, police prefect of Versailles. - Exclusion of the city. Bismarck's ruthlessness. - Le Sourd. - A Parisian spy. - Proclamation of the state of siege.

The headquarters left Ferrières or Lagny on October 5 and went to Versailles, where it remained for more than five months, until the end of the war. Director Stieber took over the police prefecture of the city of Versailles.

"In Versailles," Stieber wrote to his wife on the second day after the headquarters moved in about the first impression the city had made, "we were wonderfully surprised. Versailles is hostile to Paris, strictly legitimist, against Napoleon and the Republic. No one has fled, all the stores are open, ladies and children are present, all the streets are lit with gas. We are as if in heaven, as if released from a long captivity. Cabs, milk, butter, sugar, fresh rolls, everything available, all hotels open. I am very well accommodated, food is brought to me from a hotel. Our troops mostly live in the local barracks, little has changed here, only instead of French troops, Prussian troops form the garrison. Today our King held a parade on the castle square as if he were Emperor of France. Today the big fountains were made to jump in the garden in honour of our king, which costs 10,000 Thlr. each time. The whole town had flocked together, and our King and Bismarck walked around among the French as if we were in Sanssouci *. My proposal to close off the garden was not approved. I had taken all possible precautions, but I was very worried the whole afternoon. We are doing everything possible to supply the place, especially from southern France, which is not easy, so that the provisions are not exhausted. In particular, the Prussian administration is finding it difficult to procure coal for the gasworks, as coal transportation from England has been interrupted. We now have coal coming from Saarbrücken and have to use the gas very sparingly; we are only operating at half pressure. "

* Sanssouci is a historical building in Potsdam, near Berlin. Built by Prussian King Frederick the Great as his summer palace, it is often counted among the German rivals of Versailles.

"I am," Stieber wrote to his wife on October 16, "at the head of a very important administration here. The French staff under me includes a mayor, a French police director, three police commissioners and 25 sergeants de ville. The Prussian personnel includes three inspectors, a secretary, three sergeants, seven police officers, 44 riding army gendarmes under the supervision of two gendarmerie captains, four artillery train soldiers, but also over 100 men with 60 horses. I will probably keep this position until the King returns to Berlin."

The friendly relationship between the inhabitants of Versailles and the troops quartered there did not last long, as the troops' diet became more and more oppressive for the city from day to day, and after just a few weeks the population was in great need. "Sometimes I really shudder," Stieber wrote to his wife on October 17, "when I see the angry looks of the French around me

and I always have to press the loaded revolver to my heart. How I long for orderly, peaceful conditions, for my innocent, harmless children, for benevolent, friendly people. If we stay in Versailles much longer, we will make the city poor and miserable. Our requisitions are increasing daily. The mere subsistence allowances for the officers amount to 2000 Frcs. per day, where will the town get all this from! There are 600 retired French officers living here, nobody gets a penny of pension any more, and each of them still has two or three officers quartered here. We still have to be supplied with light, oil and wood. Yesterday I had two loads of wood fetched from the nearby lumberyard because I have to heat three fireplaces. Of course there is no question of paying for it. The mayor has to supply me with oil and light. All horse feed, all carts are taken away. If this goes on for months, a town like this is completely ruined and still has huge debts. There are still about 1000 wounded in the city and about 3000 breadless workers to be fed. If the workers revolt, we shoot between them to restore peace and order with the town. "

"Our Bismarck," Stieber wrote to his wife on October 20, "is truly a godsend for Prussia; he knows what he wants, he knows no deference or sparing. We both understand each other very well, and I rightly replied to him very dryly during a conversation the other day: "Your Excellency, I have never been reproached for lack of ruthlessness." - Many of the other noble gentlemen are weak, good-natured and unprincipled. It's sometimes quite refreshing to negotiate with such a clear-headed but completely ruthless man."

"Yesterday I made a very good catch. The first legation councillor of the French legation, Le Sourd, Benedetti's representative, who played a major diplomatic role in Berlin and quite maliciously presented Count Bismarck with the declaration of war when Benedetti had already been rejected, is staying here in Versailles incognito with his mother, a very distinguished lady who lives here. He probably didn't really know where to go, he would not have travelled safely to Paris and thought we wouldn't notice and recognize him here, as he was playing the orderly in a French hospital. But my police, who are now well under way here, soon caught a whiff of him. I arrested him personally, simply delivered him to the guardhouse for military arrest and sent him with a cavalry escort to the fortress in Mainz. He wanted to make great speeches, but I simply asked him: "If our First Legation Councillor Solms were to have the idea of allowing himself to be attacked by the French in Paris today, what kind of break would he get? "

On October 20, a French woman, who had apparently approached the outposts from Paris, was presented to Director Stieber by the outposts, who wished to speak to Count Bismarck personally in order to make important disclosures to him. The woman seemed highly suspicious to the chief of the field police and he had her presented to a general, who was made out to be Bismarck. Her statements were insignificant and the suspicion against her was strengthened. It was established that the woman had come directly from Paris. Stieber had her taken into strict custody. The woman had been spying among the German outposts for weeks and had a personal pass from the French Minister of War hidden on her person. On October 21 in the afternoon, the Parisian troops made an attack on Versailles in order to bombard it. After a few hours, the French were driven back to the Parisian forts with considerable losses. During this advance of the French on Versailles, a part of the Versailles population had shown such a bad mood that the suspicion arose that people in Versailles were in contact with Paris and had been informed of the attack beforehand. Stieber, who had hitherto been very gentle, now had to take more serious measures.

Early on October 22, a state of siege was proclaimed and a proclamation was issued stating that all inhabitants had to go into their homes if the troops sounded the alarm, otherwise they would simply be shot. However, this announcement did not seem to have the expected effect on the inhabitants, who, like all Frenchmen, were accustomed to disobeying their police. For a few hours after this announcement, when the prisoners taken the day before and the two cannons that had been taken were brought through the town, the people gathered again and would not listen to the police officers' admonitions to move away. Stieber immediately ordered the police to break in and arrest around twenty people. "The priests in particular," Stieber wrote to his wife that same day, "are the agitators. Today I forced the local bishop to show me all the authorized and resident clergymen and chased all the others out of town. Enough, we have shown people how serious we are, and there is a strong party here that is on our side. "

"So far," Stieber continues in his letter, "I'm still completely behind the scenes here. They don't know me, don't even know my name. I always go in civil clothes and put forward the city commander, General Voigts-Rhetz, with whom I am on very good terms. In general, my position here is still highly favourable. I am in daily contact with Bismarck, and I am also quite satisfied with my officials. Everyone makes an effort as far as possible. It would be all very well if I did not have to fear every hour that some misfortune might

happen, which I cannot prevent, no matter how careful I am. The national hatred is too great, I must let the good Lord rule, who has been merciful to me so often."

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52. Versailles. - Investigation of a secret postal connection with Paris. - Stieber's daily business activities. - Stieber as "girl for everything." War in the air.

"Today," Stieber wrote to his wife on November 2, "we discovered a secret connection with Paris through a letter that the local procureur (public prosecutor) received from his mother in Paris. The good woman probably did not think to make her son so unhappy by a tender letter. As a result, I arrested the prosecutor here today and put him in his own prison. - How the man must have felt, I know it from my own sad experience. I have also arrested a counsel of the local tribunal. Secret letters have been exchanged between here and Paris. I cannot act otherwise, our own safety demands it. I cannot consider the present misery of the families; I must think of us, if were to be suddenly attacked here."

"The investigation," Stieber wrote to his wife the following day, "which I have initiated here because of the secret connection between Versailles and Paris, is taking on larger dimensions. Tomorrow I will probably have to arrest a beautiful, universally admired Countess de la Torre, the divorced wife of an envoy, Italian by birth and a well-known diplomatic agent. I feel sorry for the public prosecutor and the tribunal council. It was not without emotion that I heard today, when I brought the matter to the commanding general, that they wanted to have the people court-martialed and shot. However, I must strictly fulfill my duty. There is no mercy here. They will not spare us either, as soon as they have the power."

Nevertheless, Stieber endeavoured to save the lives of the two arrested court officials, which he succeeded in doing. They were sent as prisoners to a German fortress together with the French postal director in Versailles, who had also been arrested on suspicion of having secret relations with Paris. Following a murderous attack on a military post in Versailles, in which the post was wounded in the foot by a shot, Stieber had several respected inhabitants arrested and sent to German fortresses as scourges.

It was not until five weeks later that Stieber succeeded in identifying the secret mail between Versailles and Paris. "Zernicki, Alippi, Kuning and an adjutant of General Moltke, Premier-Lieutenant von Prittwitz," Stieber wrote to his wife on December 11, "have just driven to St. Germain on our best horse, Helmerding, to make important arrests. A Piquet Garde-Militia is ready there for their protection. They are armed to the teeth with revolvers etc. on this expedition, which is not without danger. The French will have to deal with the four determined men and their investigations if they resist. I am going to meet them tonight on the not entirely safe route via Marly with a detachment of cavalry.

This expedition to St. Germain, which led to investigations but was not able to completely eliminate the secret correspondence with Paris, was followed by a second police expedition on the night of January 9-10, 1871. That night, Stieber sent 20 gendarmes on horseback, 70 hunters and 10 guardsmen under the leadership of the field police inspectors to St. Germain, where these teams joined up with the six companies of the guards and militia assigned there for the same purpose and conducted house searches in all the houses of St. Germain during the morning. 94 rifles and 2400 live cartridges as well as numerous other weapons were found. Among the suspects arrested were five French letter-carriers. The letters found on them, many of which they still had with them, were confiscated. Two French soldiers, Parisian deserters, who had been hiding in a cellar there for three weeks, were also found. All the prisoners were taken to Versailles and interned there, and then transported in part to German fortresses.

In a letter to his wife dated November 4, Stieber gives the following humorous account of his daily business activities:

"A police commissioner is a troubled animal. I'm enjoying this pleasure now, but thank you for the putting up with my absence. I have no rest from morning till evening. I get up at 7 o'clock and make tea and coffee myself. At 8 o'clock I wake Mr. Salingré and Alippi and present them with breakfast. If we drank tea the night before, I have to wash up the cups and pot. Fortunately, I have a water pipe in my kitchen. At 9 o'clock Geheimrath Schneider brings me the King's orders and discusses the situation with me. At 10 o'clock conference of the police inspectors, at 11 o'clock report of the sub-officers, at 12 o'clock to Count Bismarck to make a report, at 1 o'clock to Commanding General Voigts-Rhetz for the officers' conference, then to the palace to the King and the King's aides-de-camp. In between continuous

supplicants and visits. At 2 o'clock lunch. At 3 o'clock inspection of the horses and carriages in the stables, at 4 o'clock promenade in the park, at 5 o'clock inspection of the Gendarmerie posts and cavalry patrols, at 6 o'clock dinner or tea at home. Then written work and reading files until 10 o'clock, and from 10-12 o'clock cashier's business and letters to my dear wife. To bed at 12 o'clock. In between, house searches and arrests and interrogations of prisoners and repeated calls to the King or Bismarck or the Commandant and various annoyances. That's about my life, but the time passes wonderfully quickly. Very rarely do I have half an hour for an afternoon nap or to read the newspaper. But I always have time to think kindly of my loved ones and my home, my good Marie and my children. "

In a letter to his wife dated December 13, Stieber writes about his work as a "maid for everything" "The cold had been so severe here that even the gas and water pipes were frozen. When I was working in the kitchen, I felt what it meant to be without a water pipe. I really imagined myself as a Berlin maid without a water pipe. Our porter's wife is weeks away, her deputy is a terminally ill person, Salingré is very clumsy, Alippi is too fat and comfortable, our boy is a farmer from Brunswick, so I usually have to do the kitchen work myself and I can't accept outside help because you can't trust the French. I make coffee, tea, chocolate, grog in a roundabout way, I also make boiled and scrambled eggs, cook ham, grind coffee, clean knives and forks, clean cups, it's a real pleasure. I also clean oil lamps, heat with coke and coals and wood, furnish parlors. I also sew excellently, darn stockings, mend shirts, enough, I sometimes feel like Robinson Crusoe on the desert island, Salingré is my Friday, a true heathen, without Christian religion and without llama. *"

* Llama – a South American camel with no hump.

"We are now also waging war in the air," Stieber wrote on November 7. Yesterday we caught three air-balloons* and arrested six guys from the air. Next I'll have to send Gendarms on patrol with the balloon. When we grabbed the last balloon, we managed to pull the airman and a Frenchman out of the balloon, and also grabbed all the packages of letters, but then the balloon flew away from us with the third occupant, an Englishman who didn't know anything about the balloon. What will become of the poor Englishman, he was wringing his hands as he flew away from us. What you don't experience! The Englishman is probably still flying. The "flying Dutchman" has become a "flying Englishman". - The six seized airmen will

probably be shot to put an end to the dangerous airship business, as they were supposed to bring secret dispatches from Paris to the south in order to launch the attack against us from there."

* The balloons were filled with coal gas, which is lighter than air, and were typically piloted by one or two people. Some balloons, called ballons non-montés, were unmanned and only carried mailbags.

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53. Versailles. - The German question. - Tense relations between the headquarters and the city. - A magnificent police demonstration. Spies. Mass transportation of French civilians to German fortresses.

During this time, Stieber wrote to his wife in the night of November 15-16 about the negotiations between Bismarck and the ministers of the southern German states in Versailles concerning the unification of Germany: "In Paris, history is coming to an end. We can expect the handover in a short time. Only the German question is still in doubt. Baden and Hesse-Darmstadt yesterday unreservedly joined the North German Confederation, which, however, is an immense gain. But Bavaria and Württemberg are suddenly causing trouble. "

The following day Stieber wrote: "We are quite annoyed that the work of German unity is going so badly. Bavaria and Württemberg have suddenly raised difficulties, and there is a strong old Prussian party here at court, which does not at all want the King of Prussia to become Kaiser of Germany and sacrifice the old good Prussian element. Bismarck is therefore personally quite annoyed, because he is in danger of losing his entire German work, which started so brilliantly. Our dreams of seeing the German Reichstag here and witnessing the proclamation of the German Kaiser do not seem to be coming true."

On November 24, Stieber wrote: "The German cause is in order, Germany is united, the Kaiser is ready, Bavaria signed last night, Count Bismarck has achieved the goal of his life. Last night, after the last conference with the Bavarian envoy, he was more cheerful than I have seen him for a long time. In particular, his position with the Crown Prince has improved as a result."

The relationship between the headquarters and the inhabitants of Versailles became more tense from day to day, as the growing distress among the population led to an ever-increasing resentment against the Prussian regiment. Stieber gives an account of this unpleasant relationship in a letter to his wife dated December 2: "There is a field agent on every street corner, every house, every window is watched, every gate is manned, the slightest suspicious figure is immediately searched down to their shirt. Anyone whose nose we don't like is arrested immediately, the detention quarters is so full that I can hardly leave the prisoners alone. There is no lack of attention. But outwardly we are always friendly, always amiable with a lot of chat, as the French would wish, and always paying in cash, because we have enough money. Every now and then one is shot dead, and once a dozen are sent on foot into a German fortress, half of them are escaping on the way, but the other half acting as a sufficient deterrent."

Rumours of conspiracies in Versailles against the life of the King and Count Bismarck circulated constantly during December; these rumours finally had to be given some importance, since they appeared at the same time as rumours of impending attacks from Paris, which later proved to be well-founded. In addition, Prussian officers had been shot at several times from ambushes in the vicinity of Versailles. As a result, Stieber decided to take a police measure that is probably unique in history.

On December 22nd at 2 o'clock in the afternoon, three battalions of infantry marched onto the Place d'Armes at Versailles, and these 3,000 men were joined by two squadrons of dragoons and a battery of cannons. General v. Voigts-Rhetz, with the assistance of the field police director and his police officers, had the troops form squares and told them that, under the direction of Director Stieber, they were to carry out police searches in all the houses of Versailles, if possible at the same time. The squad then dispersed to go to the three different police stations in three sections according to a plan drawn up by Stieber. A battalion of troops was placed at the disposal of each police inspector. The gates of the city were closed, no one was allowed to enter or leave, two guards were placed at each house door, while all the apartments and other rooms were carefully searched by police officers and soldiers. During these mass house searches, everyone was allowed into the houses, but no one was allowed out. At the same time, dragoons rode through the city, detaining any passer-by who appeared to be suspicious. The exits from the streets were also manned by guards who forced passers-by turning into other streets to turn back. In addition, each of the three main streets of Versailles

was manned with two loaded guns in order to nip any thoughts of an uprising by the population in the bud. The searches carried out simultaneously in all the houses in the city resulted in the arrest of 150 suspicious people and the confiscation of 80 concealed double-barrelled shotguns and a number of revolvers, daggers and other murder weapons. Under martial law, the owners of these weapons faced the death penalty by firing squad.

That same afternoon and into the night, the detainees were interrogated by a commission of inquiry chaired by Director Stieber. Many people were released after their identities had been established, many remained in custody. The investigation did not reveal whether Versailles had actually intended an uprising; in any case, the sudden and drastic police action had served the purpose of warning the Versailles against reckless actions directed against the headquarters.

During the mass searches, several secret emissaries of the French Revolutionary Ministry were also apprehended, who, like the above-mentioned Legation Councillor Le Sourd, used the Red Cross as a cover and apparently devoted themselves to the care of the wounded French. As a result, Stieber cleared up the members of the French ambulances who were not resident in Versailles by ordering them out of the city and telling them to head south, as numerous French wounded had been found on the road to Orleans without any medical assistance.

"You have no idea," Stieber wrote to his wife on December 24th, "of the hatred the French have shown towards us lately. We Germans live only for ourselves. We are hardly given enough to eat for when we pay for it. Worst of all are the women who are constantly agitating their husbands. We always have to shake our heads in amazement when you think French women would get involved with us. One would spit at the other, just for giving us a friendly look. You women can rest easy, with the best will in the world it would not be possible to be unfaithful to you. And things are getting worse every day. It's a bad feeling always having to be on your guard and carry a loaded revolver. I will thank God on my knees when I am delivered from this situation. But my safety is the least of my worries. I have others to take care of. My officers are so exhausted that I have had to procure another eight officers, who come from Berlin, Wiesbaden and Baden-Baden. My people often have to travel miles out of town. And all these superiors, princes, generals and ministers. Once you have satisfied six, the seventh has something to object to. If you are harsh and forceful, one rebukes the useless

cruelty. If one deals leniently and mildly, then the other will rail at weakness and weariness. Well, this time too will pass."

The second police expedition to St. Germain on January 9 and 10, 1871, mentioned above, also resulted in stricter measures for Versailles. "I have," wrote Stieber to his wife on January 12, "ordered increased security measures and am having mass arrests made. A large transport is leaving for Germany this morning. Last night I worked in the prison until 2 o'clock as president of the investigation commission. We now have around 300 prisoners. If one asks what their crime is, one must frankly say that it is only that they are Frenchmen and that they are acting as Frenchmen. "

On December 13, Stieber wrote to his wife about the current war situation: "It is wonderful that no one is clear about our situation here. Count Bismarck tells me we won't be back before Easter. Privy Councillor Bork assures me that the King will be home by New Year. Privy Councillor Schneider says we will still be here next Christmas. The Crown Prince's entourage claims that we will be in Paris in 14 days. Count Moltke says the end of January. My belief is that the bombardment is of no use now. We should have laid siege to Valerien * right from the start, it's no more difficult than Strasbourg, we would have had it by now and could bombard Paris from there. The only thing that helps now is starvation. You have to live in Paris until January 10, I know that from the police. We'll reach Paris in mid-January, more likely not, and be home by the end of January. That's my opinion. - Old Bismarck lives here all by himself, just like in Varzin. I will have much to tell you later on my own that I cannot write to you. There are many peculiar circumstances here. Thank God I live outside of them and am doing well on all sides at the moment.

* Fort Mont-Valérien is a fortress in Suresnes, a western Paris suburb, built in 1841 as part of the city's ring of modern fortifications. It overlooks the Bois de Boulogne.

The fortress defended Paris during the Franco-Prussian War, and remained the strongest fortress protecting the city, withstanding artillery bombardments that lasted several months. The surrender of the fortress was one of the main clauses of the armistice signed by the Government of National Defense with Otto von Bismarck on 17 January 1871, allowing the Germans to occupy the strongest part of Paris' defences in exchange for shipments of food into the starving city.

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54. Versailles. The Reichstag Deputation and Stieber. Stieber's Christmas with his family. Award of the Iron Cross to Stieber. Establishment of a residents' registration office.

The address deputation of the North German Reichstag, consisting of 31 people, arrived in Versailles on December 16 in the evening under the leadership of Reichstag President Simson, where Stieber declared to President Simson that he was prepared to arrange the necessary carriage for the deputation and promised to take care of the police measures for the deputation's ceremonial ascent to the audience with the King. The deputation was received by the King on December 18 at 2 o'clock in the afternoon. Stieber wrote about this to his wife on December 19:

"I had to present the Reichstag deputation to the king. It was a beautiful, true summer's day, Sunday afternoon. The whole of Versailles was on its feet and the entire army was present. All the formalities of a speech from the throne took place. My entire police force was on foot and on horseback. It was like Berlin at the opening of the chambers, or at a great court festival. Only the forty horse-drawn carriages in which the deputation drove up with the Kaiser's address formed a wonderful mixture of field-police, postal and captured French carriages. Instead of coachmen, there were soldiers, postillons and guards. Nevertheless, it was a great historical moment when this deputation with the President of the Imperial Diet drove into the King's palace in Versailles to bring the imperial crown to the House of Hohenzollern. There was heavy firing from Mont Valerien, wonderful decorations, several Prussian batteries passed by and randomly played: What is the German Fatherland? The arrangement of all the facilities fell to me, a difficult job. But everything went according to plan. In Berlin, things couldn't have gone better at a court festival, I was generally complimented. I personally negotiated a lot with President Simson. It is wonderful that I still had to correspond with the German Reichstag."

"The Kaiser Deputation," Stieber wrote to his wife the following day, "is leaving today, it has said goodbye to me in the enclosed letter, keep the letter. The deputation has given me a lot of work to give her a decent reception. The court and military party was quite calm, I represented the civil party and the German people here. Wonderful times! "

The letter that Reichstag President Simson addressed to Stieber on December 19 read as follows:

"I am compelled once again to avail myself of Your Excellency's kind mediation. The deputation of address has been ordered to visit His Royal Highness the Crown Prince at 7 a.m. today, and getting there is all the more difficult as the route is not only long, but the paths in the park are also very muddy as a result of all the rain. I therefore take the liberty of repeating yesterday's request and asking you once again to procure the necessary carriage.

May Your Lordship take this opportunity to express to you, on my own behalf and on behalf of the other Members of Parliament, my most sincere thanks for all the efforts you have so willingly made for their comfort, and I sign myself in perfect submission.

Simson."

A description of the Christmas party organized by Stieber in Versailles in a letter to his wife on the first Christmas Eve deserves to be reproduced here in full, as it makes no small contribution to the characterization of this versatile man:

"Yesterday morning (December 24th), as difficult as it was, I tore myself away from my official business and went to a deserted house near us, where a nobleman who had escaped had left behind a very beautiful workshop. There, together with Zernicki, I made a pretty Christmas tree for myself and another for Count Bismarck. Apples and nuts were also provided. Around the tree, all the photographs that I have of you individually were spread out in beautiful, tasteful frames, as were the wish lists and the songs written by the dear children. I gave Mr. Salingré and Mr. Alippi a gratuity of 5 Napoleond'ors each from my service fund and a little something for each of them. I also received some small presents from Mr. Zernicki and some German writers were present. A few bottles of Rothwein and three bottles of sparkling wine spiced up the meal, your beautiful Napoleon cake stood in the middle and was universally admired."

"So we sat together devoutly, like the first Christians, and celebrated our service in silence. Because the French have no Christmas and no Christmas trees. I involuntarily exclaimed: "I wish my whole family were coming to visit me tonight. Suddenly the doorbell rang and the boy from Geheimrath Schneider, the hilarious Pommer Holtze, brought me the lovely, wonderful

picture that your good heart had thought up for me as a Christmas present. My whole family really did come to visit. They were only silent guests, but the dear, faithful features, which for me embody the symbol of all my thoughts and wishes, spoke clearly enough to me. God, how long I must have been away for the youngest children to have changed so much! Herzblatt is quite unknown to me, Hanne is also very different, Lümmel is charming, Trude and Clara are frighteningly similar, Rosa is a breath of heaven, Paul is excellent, only his figure seems a little too long to me, and Anna seems a little too old. Gretchen and your picture are wonderful. - I can't tell you what joy you have given me. I was completely speechless, only you are capable of making me so happy. The whole headquarters admires this wonderful picture, especially the grouping. There is life there, they are not wooden dolls. I will have the picture beautifully framed and a case made for it, it will accompany me on all my travels. This picture has taken away the melancholy that filled me that I had to celebrate the festival so far away. I was so pleased that in the evening I immediately released some prisoners whose lives were at stake and whose families had been besieging me all day, and took the responsibility for this upon myself."

"The tree also burned at Bismarck's, unfortunately Bismarck-Bohlen, who acts as the housewife there, was quite suffering and the whole party was paralyzed by this. "

"All my thoughts," Stieber wrote to his wife and children on New Year's Eve, "are with you. My companions are gathered in the beautiful hall on the second floor of our house drinking champagne. But I hesitate to go down to them, although I have already been called several times. I feel the need to converse with you, my dears, at this serious hour: For a long time I have stood pondering in front of your beautiful picture, with which Mama has given me a true joy of the heart. I have remembered the past year.... "

Stieber's position at headquarters was becoming more and more fortified from day to day.

"From the court of the crown prince," Stieber wrote to his wife on Jan. 12, 1871, "I had previously kept my distance; he even had his own police force. However, I have now been approached from there and a very friendly relationship has developed with me there. The old Count Bismarck (Stieber often calls the Chancellor the "old" Count in his letters to distinguish him briefly from Count Bismarck-Bohlen, who was also at headquarters) has

taken a really lively and kind interest in me recently. I cannot acknowledge this enough; one can clearly see his efforts to be useful to me wherever possible. "

"Bismarck," wrote Stieber a few days later, "promised me the Iron Cross the day before yesterday; I am curious to see whether he will, for once, enforce it for me (as a non-combatant) and keep his word. He seems to have the good will to do so. Well, we'll see. I still doubt it, as Bismarck is not harmonizing well with the military party now."

Shortly afterwards, Director Stieber was awarded the Iron Cross by the Kaiser.

In the second half of January, Stieber had a list drawn up of all the inhabitants of Versailles, with their complete nationality, in order to establish better control over the Versailles ladies, who were becoming more and more obstinate by the day. With regard to this new arrangement, Stieber wrote to his wife on January 22: "By the way, if you still have any worries about the ladies of Versailles, you can drop them completely now that all the ladies of Versailles are crying out against me and hate me like sin. I have sent a form to every house to make a list of all the inhabitants of Versailles. All the ladies find it outrageous that one should want to know their age under severe penalty. This Préfet prussien is a homme méchant, they generally complain, and trois jours de prison! Horrible! I now run a complete residents' registration office, like in Berlin. The French police are quite astonished at such order and organization."

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55. Versailles. The peace negotiations. Jules Favre with Stieber. - Armistice.

Towards evening on January 23, the French Minister of Foreign Affairs, Mr. Jules Favre, came to Versailles accompanied by his son-in-law, drove up to Count Bismarck, and the peace negotiations began, which came to a favourable conclusion within a few days. Stieber, who was in a position to observe the peace negotiations in detail, reported on them in several long letters to his wife, which follow verbatim due to their highly interesting content and historical value:

"Versailles on the night of January 23-24.
My dear good lady!

"Read and be amazed. - While I am writing this letter in my study, drinking a cup of home-made tea, His Excellency Mr. Jules Favre, Minister of Foreign Affairs of the Paris Government, is sleeping with his son-in-law in Mr. von Zernickt's bed in the room next to me.

"No secretary, no servant is with him, one of my officials in civic dress is serving him. Jules Favre has arrived here as a member of parliament, completely untroubled. Late this evening Count Bismarck suddenly sent me his carriage and had me called to him immediately. The servant told me that Jules Favre was with the Minister. The minister instructed me to arrange quarters for him immediately and to initiate his surveillance. I strait away offered to give up two of my rooms, and he agreed, except that I should not let it be known that Favre was with the police. - Favre and Bismarck were sitting so comfortably on the sofa when I looked into the room, like old friends who had not seen each other for a long time; I can only assume from the whole situation that they were negotiating peace. My homesickness was nevertheless consoled by this sight, which occupied the attention of the whole world at this moment, and is granted to few mortals besides myself.

"I hurried home immediately and made my arrangements. I moved my guardroom, all my officers had to put on civilian clothes, I had the stove heated, two beds made up, and since the French always imagine that we are starving even in Versailles, I brought in all the food and delicacies I could.

"Nobody in Versailles suspected what was going on except the King, or rather the Kaiser and Moltke; the streets were deathly quiet. Jules Favre drove up to us in an ordinary hansom cab. He sat alone with Bismarck for a very long time, probably five hours, until late at night. I don't know at this moment whether Favre is merely coming from Paris as a parliamentarian or whether he wants to go through to London for the conference. But in any case, these long negotiations - We have done much harm to the Parisians in the last few days. The whole suburb of St. Denis has been shot up and set on fire, and Paris itself is also burning in several places on this side. A decree has already been issued that every inhabitant of Paris is entitled to look for food from his neighbour. This is pure communism, anarchy, the abolition of private property.

"When I had written this letter up to here, Mr. Jules Favre asked me for two pens, paper, ink etc. I must give up the pen with which I have written this letter up to this point and take a new one. If I am not mistaken, the peace preliminaries will be drafted with this first pen of mine. Count Hatzfeld, who is accompanying Mr. Jules Favre to me, tells me that he is going back to the Minister tomorrow and will stay here until tomorrow, and that I should get a good breakfast. All this points to serious peace negotiations. God grant that under the roof of the house where we are sleeping this night together with one of the first leaders of the bitter enemies, good and beneficial thoughts may come about. We approached the man as friendly and conciliatory as possible. I gave him my own comforter for his bed so that he could sleep warmly. But I am so excited that I can't sleep and am writing this letter in the night. Good night for tonight. "

Tuesday, January 24.

"Jules Favre stayed up until 3 o'clock in the morning, pacing up and down the salon with his son-in-law, declaiming violently. He looks terribly miserable. Count Bismarck went to the King at 12 o'clock that night, where a war council of all the generals was held. So it can only be about the definitive peace and surrender of Paris. My cook (an Alsatian) is asleep in the room next to the drawing room; we had told her that the two foreign gentlemen were Bavarian ministers who also spoke French well. She must have heard part of the gentlemen's conversation, for she said to me this morning, as she served me breakfast, in her broken Swabian dialect: "Gracious sir, these are not Bavarian ministers, this is Jules Favre, who wants to make peace." I sent Mr. Favre my last goose, the last of my two sausages, two beefsteaks from a hotel and a plate of cake for breakfast. He looks so starved that one feels sorry for him, and he should see that we can still hold out. I also gave him coffee, fine red wine, Malaga wine, sweet Spanish wine and champagne. Under the windows of our house I happened to have a herd of about 3000 fat mutton from our depot drive past. It is the market today and Versailles looks friendly and orderly. Trochu * is said to have fallen in Paris. The day before yesterday there was a great popular assembly there. The Parisians are probably at the end of the line.

* Louis-Jules Trochu (1815–1896) was a French military leader and politician. He served as President of the Government of National Defense—France's de facto head of state—from 4 September 1870 until his resignation on 22 January 1871.

"Thank God that this interesting episode has brought some change to our boring monotony. When Gretchen sent me two sausages the other day, she probably didn't think that one of them would be eaten by Jules Favre as a peace parliamentarian.

"At 12 o'clock Count Bismarck drove up to see me. A closer war council had taken place between the Kaiser, the Crown Prince, Count Moltke, Bismarck and Roon. Bismarck personally delivered the resolutions to Mr. Jules Favre. As I write this, Bismarck and Favre are sitting in the next room, deciding the fate of two great states. Count Bismarck was with Favre for about ¾ hours. I now know for certain that it was about the surrender of Paris. When Bismarck leaves and I ask Favre if I should order a dinner he says to me: "No, I'm going back to Paris immediately!" Favre has devoured a barbaric piece of my larded goose. He asks me: "What's that? We don't have that in Paris. I've never eaten anything so beautiful. I tell him: "Goose fumé, that's what we feed our mobile guard. I've been studying Count Bismarck's features for five years. Judging by his expression and the nature of the conversation I had with him when I accompanied him to the carriage after the conversation with Favre, our situation is good and I will soon see my dear wife and children again. Farewell for today. "

"Versailles, January 27, 1871.

Dear woman!

When Jules Favre left yesterday afternoon (after another visit), he shook my hand for the friendly reception and told me: je reviendrai bon matin (I'll be back early tomorrow). When I expressed my confidence to Count Bismarck in the evening that Favre seemed to be in a great hurry and that he would probably bring the signed peace document with him tomorrow, he replied: so far Favre has only come in confidence, until the French generals come out and Favre appears with his ministry, everything has only the character of a preliminary private conversation and orientation.

"This morning at 9 o'clock over coffee I received the dispatch: Two French generals and the Minister Jules Favre with two legation councillors are approaching the outposts. The parliamentary flag has been raised at the bridge of Sevres, the cannonade is silent.

"While I am writing this letter here at two o'clock in the afternoon, Jules Favre and the French General Beaufort are sitting in my next room with an

officer of the French General Staff. Bismarck, Moltke and Roon are gathered at the King's, dispatches are passing back and forth. Crowds are gathering in front of our house, so that I have them driven away by the police. So the gentlemen have come, come quickly, there is no longer any doubt that the story in Paris is coming to an end, peace is assured. Only the details are still being negotiated."

"Versailles, January 28.

Dear good woman!

God be praised and blessed. We've had a ceasefire since 12 o'clock last night. The French have declared that they will no longer fire. So the de facto ceasefire is in place. Last night Favre went back to Paris with General Beaufort. A revolution had broken out there because the war party did not want to make peace, and we feared that Favre would be taken prisoner there. But several generals came out with Favre this morning and are all staying with me. Bismarck and Moltke are negotiating with them in the next room while I write this letter, I think the formal peace deed will be signed today. . . . Hopefully by the time this letter arrives, Berlin will already be flying the flag and the boys will be shouting: Paris has surrendered.

"But we still have a lot of work to do. We will probably only occupy the forts and not enter the city for the time being, so that they can first elect a legal government with which we can negotiate. After all, we want peace with the country and not just the pit of hell that is Paris. If we have the forts, we can occupy Paris at any moment. A thousand greetings."

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56. The provisioning of Paris. - Return to Berlin.

On January 29, the Paris forts were occupied by German troops and an armistice was granted until February 19. Stieber was appointed chairman of the commission responsible for supervising traffic with Paris. Traffic with Paris was only permitted on a very makeshift basis. Only enough food was allowed in daily to prevent the city from starving.

"Tonight," Stieber wrote to his wife on January 29, "instead of Jules Favre, the general director of the Paris railroads is sleeping near me to agree

with me on the traffic regulations for the railroad supply trains. He tells me that in fact all the young children in Paris have been dying for weeks. There is nothing left but horseflesh and very poor bread. We must make haste with the preparation of the railroads, otherwise half of Paris will starve. I am afraid we cannot start in less than ten days, and if we travel day and night, we can hardly manage what is needed from one day to the next. We can't even think of fuel and lighting materials, which are particularly necessary.

"I have been relieved of the supervision of the railroads leading to Paris," wrote Stieber on February 1, "since we must open 20 lines instead of 3 if Paris is not to starve and my strength is not sufficient for so many railroads. There is also such a rush to Versailles that I have my hands full here.

"Today there were noble and rich people from Paris here (in Versailles) who wanted to inspect their local houses. They said that for five days they had only eaten dry oatmeal and water. Horse meat was running out and they found it so repugnant that they could no longer eat it. For five days they had to sit in the cold, as there was no fuel, and in the evenings in the dark, as there was neither oil nor light. Only our bombs lit up the horizon from time to time. The mouldy bread could only be obtained at the risk of one's life, as our shells made almost all the streets unsafe. We hadn't slept for 10 nights because the bombardment was heaviest at night. At any moment there was the threat of a revolution on the part of the Reds and looting of the houses.

On February 4, in addition to his other activities, which took up a great deal of time in the first few days after the capitulation of Paris, Director Stieber was assigned the task of determining the compensation claims of the Germans expelled from France, together with Consul Bamberg.

Stieber's great longing for his wife, from whom he had never been so far away during their 23-year marriage, prompted him on February 6 to invite his wife and daughter Margarethe to visit his headquarters, which his wife complied with. From February 12 to March 3, his wife and daughter stayed with Stieber in Versailles and were the only German ladies to witness the entry of the troops into Paris on March 1.

The adjutant of Director Stieber, Police Lieutenant v. Zernicki, had already been promoted to police captain by the Prussian Minister of the Interior in January at Stieber's request.

On March 6, Stieber released all the political prisoners in Versailles and handed over the police administration of Versailles to the French officials. On March 17, Stieber returned to Berlin accompanied by the Kaiser.

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57. Stieber's efforts against ultramontane and social democratic agitation 1871-1873. Rumours of an assassination attempt.

On March 17, 1871, Stieber returned to Berlin in the Kaiser's entourage. He again took over the management of the Central-News-Bureau, which now developed a completely different activity than in the years 1867-70. Guelph agitations could no longer be investigated and suppressed, and other agitations that were dangerous to the state and punishable by law could not be combated. The Central-News-Bureau now directed its activities against the social democratic and ultramontane movements.

However, these two movements were not secret and punishable, and their supporters publicly stood up for their aspirations as equally justified with the aspirations of other political and religious parties in the state. Therefore, the activities of Stieber and his bureau towards these two movements could not be the same as those towards the Guelph movements, which were not only observed by Stieber, but also fought and suppressed by confiscations, arrests and other administrative measures. Against both the ultramontane and the social-democratic movements, Stieber's activities and those of his agents could only be limited to observing them, and this observation was all the easier as both movements were public.

As a result, the position of Stieber and his bureau became more and more insignificant every day, and Stieber, who was well aware of this, tried to find out about conspiracies and other criminal activities which, when examined more closely, usually turned out to be harmless events. Among other things, Stieber studied the "International *," its activities and its connection with the German Social Democrats. However, he does not seem to have found a connection between the German Social Democrats and the International that was not permitted by law, since no action was ever taken against the Social Democratic associations.

* The International Workingmen's Association (IWA), often called the First International (1864–1876), was a political international which aimed at uniting a

variety of different left-wing socialist, social democratic, communist and anarchist groups and trade unions that were based on the working class and class struggle.

Incidentally, the Social Democratic agitators soon became aware of the observations of Stieber and his agents directed at them, and they often vented their hatred of Stieber in non-parliamentary terms. Among others, Liebknecht did so at a popular meeting in Leipzig on June 29, 1871, in which he said that his friend, the "Hallunke" (scoundrel) Stieber, was now engaged in investigating the activities of the International. In response to a report made by the police office in Leipzig to the foreign office in Berlin about this offensive statement, with the suggestion that Liebknecht be prosecuted, Stieber remarked brevi manu in the margin of the report that he would refrain from prosecuting Liebknecht.

The result of Stieber's observations of the Social Democratic movement was that the government considered the Socialist agitation to be hostile to the Reich and initially placed the material collected by Stieber at the disposal of the public prosecutor's office in Berlin at the beginning of 1874 in order to take legal action against the Socialist associations on the basis of the facts established, insofar as these proved to be illegal. As is well known, this was done in the summer of 1874 by the judicial dissolution of a number of social democratic associations and the punishment of their leaders on the basis of the Prussian law on associations.

In addition to these efforts by Stieber and his office, which were not very fruitful, Stieber also had the responsible task of protecting the person of the Kaiser and the Imperial Chancellor after the Franco-Prussian War. He was therefore responsible for the prevention of assassination attempts against the Kaiser or the Imperial Chancellor. The fact that many of Stieber's agents came to the fore in this activity and that Stieber himself suspected in individual cases that he was on the trail of assassination attempts, it was in the nature of things that it eventually turned out that he was in error. In the years 1871 and 72, Stieber's unsuccessful efforts were often publicly ridiculed, because those who were further removed from the political action did not know that in those years there were indeed coteries that were striving to assassinate the king and were formally trying to recruit assassins to murder the Kaiser, Bismarck and Moltke. Whether it is to Stieber's credit that no assassination attempt was carried out in those years, and not even one was seriously attempted, will be difficult to determine. But Stieber certainly had

cause for careful research and defensive measures, and both the Kaiser and the Chancellor gratefully acknowledged the tireless efforts of their secret police chief, even if they proved futile.

Stieber mainly feared an assassination attempt against the Kaiser and Prince Bismarck by the French, who were filled with hatred against the conquerors of France, as well as by the Poles, who saw the unification of Germany as a major obstacle to the re-emergence of an independent Polish state, and finally also by the International.

A report by Stieber from 1872, which was prompted by newly emerged assassination rumours originating in Paris, contains the following sentences:

"During the siege of Paris by German troops, a formal conspiracy was formed in Paris to assassinate the German Kaiser, Count Bismarck, and Moltke. The Parisian newspapers at the time openly appealed for a national reward to be offered to the lucky assassins.

One of these newspaper advertisements read literally as follows:

Popular subscription
open
at five cents

in the Combat offices, 66 rue Tiquetonne, with a view to offering a gun of honour to the French fighter who strikes the King of Prussia.

Previous days. . . . Fr. 247.40
Day 15:
32 citizens. . . . . " 1.60.

Total Fr. 249.00.

By four thousand nine hundred and forty-eight subscribers.

"The most prominent members of this murder conspiracy were the Frenchmen Palmié and Durand and the Poles Theodor Dombrowski (brother of the well-known communist general Jendrzejewski) and Kwiatkowski. The price for the murderers was agreed at 200,000 francs. The assassination attempt did not materialize because of the extensive military and police security measures at German headquarters and the tight encirclement around Paris.

"The murder conspiracy in question still exists today, but has moved its headquarters from Paris to Geneva, where the members who remained alive have taken refuge. These members are Palmié, Durand and Jendrzjewski, all three of whom are zealous members of the Communist Party and are under the leadership of the International. New members have joined, however, namely the well-known assassin Chelminski. The assassination plan is currently said to be directed mainly against Prince Bismarck, and not insignificant funds from Polish sources are said to be available to carry it out.

"The motives for the assassination attempt lie 1) in the fanatical hatred of the Poles against Germanism, personified in Prince Bismarck, and in the excitement which has taken hold of the Poles since the open appearance of the Czechs in Austria; in the circles of Polish emigrants there are hopes of a joint Polish and Czech uprising: 2) in the fear which the leaders of the international workers' association have of the energetic character of Prince Bismarck. It is feared that the international workers' revolution, the outbreak of which is not too far off, will fail because of Prince Bismarck's ruthless energy. The close alliance between the Polish Action Party and the International is also becoming increasingly evident outside France. As reported a few days ago, General Wroblewski has joined the General Council of the International in London. The well-known Polish writer Sigmund Milkowski has become a member of the board of the International for Switzerland in Berne."

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58. Dissolution of the Central-News-Bureau. - Stieber's illness. - Colonel Nikolitsch. - The assassinations of 1878. - Stieber's death.

Soon after Bismarck's temporary resignation from the position of Prussian Prime Minister at the beginning of 1873, Stieber's Central Intelligence Bureau in the Prussian Ministry of State was dissolved, without, however, severing Stieber's relations with the Foreign Office. The dissolution of the bureau was easily accomplished, as none of the bureau's numerous agents were in a position to make any claims against the state administration due to their careful selection and their distance from the connection of the business assigned to them with secondary state affairs.

In August 1873, Stieber was afflicted with a painful gout, the signs of which had been apparent since the previous winter, and he therefore went to Wiesbaden at the beginning of October to cure this ailment. However, the cure was not particularly successful. In May of the following year, Stieber went to Teplitz for a cure and in August to Aachen, where he finally experienced a brief improvement in his ailing condition. As early as the winter of 1874/75, the gout recurred to a greater extent, and in April 1875 Stieber again went to Aachen for a cure, which was more successful.

As a result of this continuing illness, Stieber withdrew more and more from his business activities. Since 1874, his relations with the Foreign Office had existed only in name, and his relationship with the Russian government also dissolved on October 1, 1874.

In January 1877, his gout became considerably worse, as a painful inflammation of his left hip made it almost impossible to use his left foot. Stieber therefore returned to Aachen in May of the same year for a cure, but without any success. Only towards the end of the year was there some relief from the pain and Stieber was able to walk again, albeit only short distances.

During the Russo-Turkish War in 1877/78, Russian Colonel Nikolitsch came to Berlin on behalf of the Russian government to negotiate with Stieber about the establishment of a political field police force in the Russian army along the lines of the Prussian field police in the wars of 1866 and 1870,71. However, the negotiations held in November and December 1877 did not produce any results, as Stieber's health deteriorated again during the negotiations and there was no prospect of the years of suffering subsiding.

When the assassination attempts against the German Kaiser took place in May and June 1878, Stieber was in Teplitz for a cure. From there, he wrote to an outstanding official at the Foreign Office under the first impressions of the two assassination attempts, which followed each other in quick succession:

"The news of the two assassination attempts against the Kaiser has reached me here in Teplitz, where I am staying because of my gout. Although I am limited in my executive activities by this ailment, I am otherwise completely fit for work, especially with regard to all bureaucratic activities. The extraordinary circumstances that have arisen prompt me to ask most obediently whether the government can make use of my, albeit limited, services.

"It would be too presumptive for me to come forward here with proposals on the legislative and police measures to be taken; I will only take the liberty of touching on one point. Above all, in my opinion, a central office should be set up in the Reich Chancellery, where all material resulting from the careful observation of Social Democratic activities throughout the Reich and abroad would be collected for official use. The Berlin police headquarters and the Berlin public prosecutor's office, which have so far collected most of the material on the Social Democrats, are only subordinate local authorities which, given their position, can only very imperfectly solve such an international task. . . .

"In my opinion, the Kaiser's entourage is reproached for not having been careful enough after the first assassination attempt. It should not have been tolerated that the Kaiser should take the same route alone in an open carriage at the same hour every day. At Versailles, where I had to guard the Kaiser's life under much worse conditions, I always protested vigorously and successfully against these dangerous personal habits of the Kaiser. If the murderer first has to seek out his victim on the street in various places, he easily becomes conspicuous; even then he can only use a concealed revolver to do the deed. . . . "

Stieber's ailment did not improve in 1878 and 1879, the bathing cures he used during these years were unsuccessful, so that Stieber finally gave up all external bathing cures and built a moor bath for his use on his property in Freienwalde * at the beginning of 1880. In the fall of 1880 there was a slight improvement in his gout. Stieber spent the summer of the following year in Freienwalde again. In the fall of 1881, Stieber returned to Berlin, physically more miserable than ever, looking forward to his imminent dissolution. He spent Christmas, his favourite holiday, surrounded by his family, sitting in his armchair, sharing in the joy of his numerous children over the presents given to them by their parents, but after the holiday he became more apathetic from day to day, until finally, on January 29, 1882, death freed him from his years of suffering.

* Bad Freienwalde is a spa town in the Märkisch-Oderland district in Brandenburg, in North-Eastern Germany.